



**Fort Mill Town Council Regular Meeting  
March 14, 2022  
6:00 p.m.**

**Council Chambers  
112 Confederate Street  
Fort Mill, SC 29715**

**AGENDA**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**MINUTES**

Minutes of the February 28, 2022, Town Council Meeting

**PUBLIC COMMENT**

**Pursuant to Section 2-46 of the Code of Ordinances for the Town of Fort Mill, any citizen of the Town may appear before council for the purpose of providing public comments on any municipal matter (except personnel matters). Those who wish to speak must sign in outside of Council Chambers prior to the start of the meeting. Citizens will be given 3 minutes each to speak.**

**PRESENTATIONS**

**Presentation #1**

Proclamation presentation in honor of Procurement Month 2022 – *Mayor Savage*

**Presentation #2**

Fort Mill Economic Partners – *Mariah Price*

## **OLD BUSINESS ITEMS**

There are no Old Business items.

## **NEW BUSINESS ITEMS**

### **New Business Items #1**

Resolution for Downtown Jams 2022 – *Jacona Hester*

## **INFORMATION/DISCUSSION**

### **Information/Discussion #1**

2020 Town Council Redistricting Benchmark Report – *Chris Pettit*

### **Information/Discussion Item #2**

Temporary Signs – *Penelope Karagounis*

### **Information/Discussion Item #3**

Trails Master Plan – *Penelope Karagounis*

### **Information/Discussion Item #4**

Tom Hall Overlay - *Penelope Karagounis*

## **EXECUTIVE SESSION**

**Please Note: Council may take action on Executive Session Items listed on the agenda when they come back into Public Session.**

There are no Executive Session items.

## **ADJOURN**

**The following press was notified of the meeting by email or fax in accordance of the Freedom of Information Act: The Herald; CN2; WRHI, WSOC and WBTV. The agenda was also posted on the board outside of the entrance to Town Hall the required length of time and on the Town website.**

*The Town of Fort Mill is committed to assuring accessibility with reasonable accommodation, of Town services and facilities for all individuals, in compliance with federal law. Please contact the Town Manager's Office at 803-547-2116 if you need assistance.*



**Fort Mill Town Council Regular Meeting Minutes  
February 28, 2022  
6:00 p.m.**

**Council Chambers  
112 Confederate Street  
Fort Mill, SC 29715**

**PRESENT:** Mayor Pro Tem Helms, Councilman Moody, Councilman Garrison and Councilman Hudgins was present. Mayor Savage, Councilwoman Cook and Councilman Wolfe were absent.

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

Councilman Moody provided the invocation.

**MINUTES**

Minutes of the February 14, 2022, Town Council Meeting

Councilman Moody made a MOTION to approve the minutes of the February 14, 2022, meeting. SECONDED by Councilman Garrison. Passed 4-0.

**PUBLIC COMMENT**

**Pursuant to Section 2-46 of the Code of Ordinances for the Town of Fort Mill, any citizen of the Town may appear before council for the purpose of providing public comments on any municipal matter (except personnel matters). Those who wish to speak must sign in outside of Council Chambers prior to the start of the meeting. Citizens will be given 3 minutes each to speak.**

No one signed up for Public Comment.

**PRESENTATIONS**

### **Presentation #1**

#### **Plans for 2022 Main Street Jams**

Mr. Steve Tolson came back before Council to see if they were in approval of the presented dates for future Main Street Jams. All the Council members present were in approval of the event dates given.

## **OLD BUSINESS ITEMS**

### **Old Business Item #1**

**Second Reading:** An ordinance amending Ordinance No. 2021-28 so as to update the fee schedule for Parks and Recreation

Mr. Brown Simpson stated that there were no changes since First Reading of this ordinance. He also stated that the changes would go into effect on March 7<sup>th</sup>, giving staff enough time to get everything posted online.

Councilman Garrison made a MOTION to approve an ordinance amending Ordinance No. 2021-28 so as to update the fee schedule for Parks and Recreation. SECONDED by Councilman Moody. Passed 4-0.

## **NEW BUSINESS ITEMS**

### **New Business Item #1**

Consideration of policy pertaining to Unclaimed Property

Chantay Boulter, Finance Director, stated that the Town was notified in September 2021 that it had been selected to participate in an audit by the SC State Treasurer's Office, Unclaimed Property Division. The Unclaimed Property law is found at Title 27 - Chapter 18 - SC Unclaimed Property. In Summary, the State is the custodian of funds/property owed to others that has been issued/designated by the entity (the Town) but never claimed. In Fort Mill's case the property was in the form of accounts payable checks.

Fort Mill released \$15,180.71 classified as outstanding/stale-dated checks for utility deposits, court refunds, services rendered by vendors which dated back to 2016. The Town does not have a formal policy in place. So that we fully comply with the requirements of the law, a policy is attached for your consideration.

Councilman Hudgins made a MOTION to adopt the policy pertaining to Unclaimed Property. SECONDED by Councilman Moody. Passed 4-0.

## **INFORMATION/DISCUSSION**

### **Information/Discussion Item #1**

Tom Hall Corridor District

Ms. Karagounis told council that in 2007, with the creation of the Tom Hall Corridor Overlay, car washes, repair garages, and tire retail and repair facilities were prohibited in the overlay. In 2011 the ordinance was amended to modify the existing language in the ordinance to provide an exception that would allow for the expansion of auto repair garages and tire repair facilities, provided they were in existence before the adoption of the THCD overlay district, and that any such facilities must observe the following conditions: that if a repair garage was lawfully in existence prior to the establishment of the THCD overlay, and if such facility has continued to operate without interruption since that date, then the owner or operator of any such facility may be permitted to expand his existing facility under the following conditions: 1) where feasible, a suitable landscaped buffer or fence shall be used to screen the facility from neighboring residential uses; 2) any outdoor storage and/or holding areas shall be screened from public view by a suitable fence and 2 appropriate landscaped buffer; and 3) the overnight storage of vehicles shall be prohibited, unless such vehicles are located inside the facility or within any enclosed and properly screened storage area. Currently, repair garages and tire retail and repair facilities are prohibited; except for those that existed before the overlay district. Car washes, permitted by right in the HC district, are prohibited in the THCD. The matter is whether to remove car washes from the list of prohibited uses or allow such facilities as conditional uses within the THCD overlay and establish such conditions.

Ms. Karagounis answered questions from the council members and stated that she would be bringing this discussion item back to council since there were three members absent.

#### Information/Discussion Item #2

##### Temporary Signs

Penelope Karagounis explained to the council members that due to an increase in development and marketing opportunities staff has seen an influx in promotional temporary signage within the Town limits. Many of these signs are illegal under the current zoning ordinance but a need to strengthen the code to make it more concise regarding the problem areas was identified by staff. These areas primarily include subdivision directional signs along with other temporary promotional signs.

Ms. Karagounis answered questions from the council members and stated that she would be bringing this discussion item back to council since there were three members absent.

#### Information/Discussion Item #3

##### Trail Master Plan

Ms. Karagounis stated that in 2020, a resolution to support the amending of the Carolina Thread Trail Master Plan for the Town of Fort Mill was approved by Town Council. This amendment added another segment of trails to provide more options for trails in the Town. This started the discussion to have a comprehensive Master Plan for trails in the Town of Fort Mill. A couple of months after the resolution, COVID-19 disturbed our livelihood, but we learned the importance of being able to connect with nature and get outside to preserve our quality of life. Therefore, the Town of Fort Mill is committed to start the process of the Master Plan for Trails. The Fort Mill Master Plan for trails will serve as a living document that will be updated as new opportunities become available. The goal of this project is to connect existing trails with future destinations such as the downtown area, identify other locations for establishment of new trails, and prioritize segments for trail construction based on feasibility and opportunity. We recognize that bicycle and pedestrian infrastructure should be an integral part of the community. Discussion Our objectives for the Trail Master Plan are:

- To establish a vision for the future of trails within the Town of Fort Mill
- To develop an implementation plan that puts us on the path toward reality on realizing the vision
- To study up to two to three corridors more intensely for construction feasibility and design for short term construction consideration

Our Process for the Trail Master Plan:

1. Finalize an RFP based upon conversation tonight
2. Select a consultant
3. Establish a trail master plan committee that will be the primary lead in meetings / discussions of the plan creation
4. Review the existing conditions, talk to the community stakeholders, review applicable plans in place, determine important points in town, etc.
5. Verify the vision
6. Identify and map a future network of trails that connects with the vision, with up to two “prioritized segments” identified for further study
7. Complete feasibility studies for up to two corridors to put us in a position to be able to move forward with construction in the short term
8. Establish plans / guidelines for:
  - a. Overall design considerations
  - b. Possible funding opportunities and strategies
  - c. Long term maintenance needs / requirements / costs
  - d. Marketing / Branding

Ms. Karagounis answered questions from the council members and stated that she would be bringing this discussion item back to council since there were three members absent.

## **EXECUTIVE SESSION**

**Please Note: Council may take action on Executive Session Items listed on the agenda when they come back into Public Session.**

There were no Executive Session items.

## **ADJOURN**

Councilman Hudgins made a MOTION to adjourn. SECONDED by Councilman Garrison. Passed 4-0.

Being no more business to conduct, the meeting adjourned at 7:09 pm.

**The following press was notified of the meeting by email or fax in accordance of the Freedom of Information Act: The Herald; CN2; WRHI, WSOC and WBTV. The agenda was also posted on the board outside of the entrance to Town Hall the required length of time and on the Town website.**

**Respectfully Submitted:**

*Virginia C. Burgess, CCC  
Town Clerk*

Approved by Council:

*The Town of Fort Mill is committed to assuring accessibility with reasonable accommodation, of Town services and facilities for all individuals, in compliance with federal law. Please contact the Town Manager's Office at 803-547-2116 if you need assistance.*

# Town of Fort Mill

## SOUTH CAROLINA

### Proclamation

**WHEREAS**, the procurement profession plays a significant role in the efficiency and effectiveness of business and government in the Town of Fort Mill and throughout the nation; and

**WHEREAS**, public sector procurement professionals work to ensure effective use of taxpayer dollars, while maintaining the highest standards of service and integrity within a competitive, fair, open, and transparent procurement process; and

**WHEREAS**, the month of March is designated as National Procurement Month throughout the United States of America and its territories; and

**WHEREAS**, in addition to the purchases of goods and services, procurement adds value to an organization by performing functions such as executing, implementing, and administering contracts, developing high caliber strategic procurement strategies and nurturing working relationships with suppliers and internal operational support of all Town of Fort Mill departments; and

**WHEREAS**, The Town of Fort Mill Procurement Department recognize, support, and practice the Public Procurement Values and Guiding Principles of Accountability, Ethics, Impartiality, Professionalism, Service and Transparency, established by the NIGP – The Institute for Public Procurement as fundamental tenets of the public procurement profession; and

**WHEREAS**, the celebration of National Procurement Month gives us the opportunity to further expand awareness of the procurement professional's role to governmental officials, the general public, business, and corporate leaders.

**WHEREAS**, we recognize the many valuable contributions made by procurement professionals of the Town of Fort Mill and extend our heartfelt thanks for the continued commitment to public service by these professionals.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Fort Mill do hereby recognize the month of March 2022, as

### National Procurement Month

Signed \_\_\_\_\_, Mayor

Attest \_\_\_\_\_, Town Clerk





## 2021: Year in Review

March 14, 2022



Our Board Member Representatives: David Buist (Chairman), John Elvington (Vice Chairman), Elizabeth Bowers (Secretary), Adam Ackerman (Treasurer), Dr. Chuck Epps, Dean Faile, Matt Griffin, Joel Hamilton, Marc Howie, Rick Jiran, Shaw Kuester, Jan Martin, Stephen Overcash, Dr. Lou Pantuosco, Wink Rea, William Reigel, Renado Robinson, Shawn Spohn, Patrick White

# Fort Mill Economic Partners

## Who we are

## What we do

- FMEP exists to improve the economic and social well-being of Fort Mill by building wealth, diversifying the local economy, creating and retaining quality jobs, identifying business-friendly resources and advancing quality of life opportunities to ensure a thriving community for both life and work.
- FMEP had its beginnings as part of the downtown merchants' association in 1994.
- Since that time, the non-profit 501(c)(3) council has grown to include members from the area's top employers from a variety of industries.



# FMEP and Town of Fort Mill

FMEP and the Town of Fort Mill have worked together in an official capacity through:

- The Bailey Bill
  - Wayfinder Signage System study
  - Winthrop Economics class study
  - Facade Grant Improvement program
  - SC Strawberry Festival Official Partner via the Strawberry Sprint & Stroll 5K est. 2021
- 

# **Fort Mill Economic Partners 2021 Recap**

- Held inaugural Strawberry Sprint and Stroll 5K with great success
- Registered with South Carolina Adopt-A-Highway program and adopted a mile of Doby's Bridge Road, beginning at Tom Hall Street
  - Currently hosting quarterly trash pick-up events
- Worked with Winthrop University to create a fall 2021 semester program for two classes to study the economic impact of the Carolina Thread Trail connection from Fort Mill's Anne Springs Close Greenway to Rock Hill's Riverwalk
  - Worked with Town for partial funding of the Winthrop Study (Town investment of \$6,000)
  - Applied for grant funding from The Duke Foundation for the Winthrop study
- Newly formed PID (Priority Investment District) Committee worked to craft a Fort Mill 2050 Vision Plan (Town presentation to follow)
- Instituted social networking events bi-monthly at Fort Mill restaurant and brewery businesses
- Continued relationship building with Fort Mill's downtown businesses
- Extended utilization of business tools available through FMEP website





# FMEP Website offers:

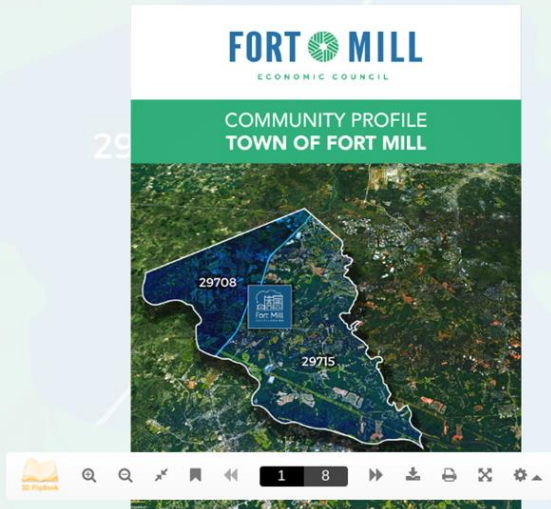
## **FortMilleP.org**

- Key Features:
  - Catalyst Plug-In
  - Demographics
  - Economic Incentives



# DEMOGRAPHICS

## TOWN OF FORT MILL



## FORT MILL TOWNSHIP



# INCENTIVES

## TOWN OF FORT MILL INCENTIVE PROGRAMS

FAÇADE IMPROVEMENT GRANT	+
BAILEY BILL	+
TOWN OF FORT MILL TAX ABATEMENT	+

## YORK COUNTY INCENTIVE PROGRAMS

FEE-IN-LIEU OF PROPERTY TAX AGREEMENT	+
PROPERTY TAX ABATEMENT	+
PROPERTY TAX EXEMPTIONS	+
YORK COUNTY TAX ABATEMENT	+

## STATE OF SOUTH CAROLINA INCENTIVE PROGRAMS

CORPORATE HEADQUARTERS TAX CREDIT	+
INVESTMENT TAX CREDIT	+
JOB DEVELOPMENT CREDIT	+
JOBS TAX CREDIT	+
RESEARCH & DEVELOPMENT TAX CREDIT	+
SALES TAX EXEMPTIONS	+

## FEDERAL INCENTIVE PROGRAMS

NATIONAL PARK SERVICE-FEDERAL TAX CREDITS FOR REHAB OF HISTORIC BUILDINGS	+
NATIONAL PARK SERVICE-2018 ANNUAL REPORT FOR REHAB OF HISTORIC BUILDINGS	+



# **FMEP Visit and Learn Events**

## **2017 - Greer, SC**

Met with Executive Director and Commercial Development Director regarding organizational goals, website maintenance, and population of their board

- Sets priorities and what they are willing to support financially considering the needs of local companies and private sectors

## **2018 - Traveler's Rest, SC**

Met with Mayor and City Administrator regarding the impact of the Swamp Rabbit Trail

- The trail allows for pedestrian and cycling access and has had tremendous economic impact.

## **2019 - Newberry, SC**

Met with City Officials and Executive Director of Newberry Opera regarding the reopening of the town's historic opera house

- The reopening has been a catalyst for downtown revitalization and economic development for the city.

## **2020 - Lexington, SC**

Met with Events and Media Coordinator and Downtown Venue Producer regarding their city-owned amphitheater.

- Information was gathered about the budget for the venue and specifics on the use, technicals, booking procedures, and contract documents.

## **2022 - Belmont, NC**

Initial plans set for April 2022 to visit the town of Belmont, NC.

- Town officials are welcome to join on this and future trips.

# 2022 Goals for FMED

- Continue Partnership with Winthrop University
  - Currently in the process of identifying economic research needs for Fall 2022 and Spring 2023
- Expand Existing Relationships with Fort Mill Businesses
  - New and existing business relationships
  - Fort Mill business survey
- Execute Wayfinding Signage Plan within Town of Fort Mill
  - Approved for annual budget in 2020 & 2021
- Provide Insight for Strategic Business Development
  - Town of Fort Mill Economic Development Inventory
- Develop Strategic Communications Action Plan
  - Town of Fort Mill marketing communications plan for 150th Anniversary; “Why Fort Mill?” marketing campaign
- Continued Support of Town Goals and Objectives

# 2nd Annual Strawberry Sprint and Stroll 5K

## Saturday, April 30

- Anticipating 700+ participants
- Hosting a runner's village following the race
- New race route this year with Start/Finish on Main Street, engaging businesses of all types throughout Fort Mill and beyond





# Winthrop University Studies

- Winthrop University (Accounting, Finance & Economics) BADM 381 Carolina Thread Trail study was completed in Fall 2021
- Provided an economic impact analysis, feasibility study and community outreach study
- Included recommendations for next steps
- Formal presentation to Town scheduled 3/28
- **Future Partnership Opportunities:**
  - Marketing Communications Strategy for 150th Anniversary
  - Economics Study on “Why Fort Mill?”
    - Who we are
    - What businesses do we have
    - What do we need/want
    - How do we get what we need



# Grow Relationships with Business

- New Community Outreach Committee held Quarterly Socials at local restaurants and businesses
  - Looking to personally meet and introduce our organization to new/current owners of Main Street businesses
  - Building the communication channels between FMEP and businesses
- 






# Monthly Speakers for Board Meeting

- Each month, continue providing relevant, engaging and informative speakers to FMEP Board Members
  - Town officials always welcome at our monthly meetings
-



# Updating Tools on Website

- Looking to add more resources for businesses
    - Example: Road map for how to get started with a new business in FM
    - Live webpages for:
      - Impact Fees
      - Business License
      - Business Insurance
- 

# Belmont, NC Visit

- Why Belmont:
  - Similar to FM:
    - size
    - challenges
    - goals





Thank you for your  
continued trust and  
support.

We look forward to  
another great year  
ahead for Fort Mill!

# Fort Mill Town Council



		Public Hearing		Executive Session		Other
Case Summary						
Case Type		Annexation		Rezoning		Text Amendment
		Subdivision Plat		Appearance Review		Other
Title						

Resolution for public alcohol possession, sales and consumption and live music and sound amplifying equipment for 2022 Main Street Jams

## Background Information

### Background

- 04/16 – Spring Fling Jam
- 07/16 – Summer Jam (Peach Party!)
- 09/17 – Oktoberfest Jam
- 12/10 – Christmas Market

## Alternatives

1.	
2.	
3.	

## Staff Recommendation

Recommendation	1. Approve Resolution for public alcohol possession, sales and consumption and live music and sound amplifying equipment on approved Jam dates.
Name & Title	Jacona Hester, Events Coordinator
Department	Public Relations & Events

## Legislative History

First Reading	
Public Hearing	
Second Reading	
Effective Date	

## Attachments

1. 2022 Main Street Jams Resolution

## **Town Council Meeting**

### **New Business Item**

#### **2022 Main Street Jams Resolution**

A resolution designating Main Street (Tom Hall Street to Academy Street) as the site of a public festival on Saturdays, April 16 from 12PM-6PM, July 16 from 5PM-9PM, September 17 from 12PM-9PM and on December 10 from 10AM-3PM in which alcoholic beverages may be sold, possessed, and consumed, and to authorize a special event permit for live music and sound amplifying equipment.

Pursuant to Sec. 24-30(b)(2) of the Code of Ordinances for the Town of Fort Mill, the council is asked to consider a request from Steve Tolson, co-owner of Amor Artis, to designate Main Street (Tom Hall Street to Academy Street), as the site of a public event at which alcoholic beverages may be sold, possessed and consumed. This request would allow for an exception from the public consumption ordinance on Saturdays, April 16, July 16, September 17 and December 10. With council's approval, alcohol sales would be permitted between 12PM-6PM on April 16, 5PM-9PM on July 16, 12PM-9PM on September 17 and 10AM-3PM on December 10, 2022. Alcohol sales will be cut off 30 minutes before event concludes and employees will supervise doors to remind people that event on Main Street will end in 30 minutes. Jason Cloud/Hobo's Restaurant and Steve Tolson/Amor Artis will be responsible for alcohol sales. The process of selling would be: ID checks, wrist bands, beer/wine tickets, and zero-tolerance enforcement managed by Hobos/Jason Cloud and Amor Artis/Steve Tolson.

Pursuant to Sec. 24-34(c)(2)(l) of the Code of Ordinances for the Town of Fort Mill, the council is also asked to consider a request to authorize a special event permit for live music and sound amplifying equipment on Saturdays, April 16 from 12PM-6PM, July 16 from 5PM-9PM, September 17 from 12PM-9PM and on December 10 from 10AM-3PM. The town's noise ordinance allows council to grant permits to "responsible organizations to broadcast programs of music, speeches or general entertainment as a part and in recognition of a community celebration of national, state or town events, public festivals, or outstanding events of a noncommercial character, provided that traffic on the streets is not obstructed by reason thereof and adequate provisions will be made to minimize the disturbance to neighboring residential areas." The Main Street Jam proposes to offer musical offerings from the stage set up at the foot of Main Street and before Academy Street. The stage will be situated in a manner to minimize the impact to neighboring residences.

Staff will be available during the meeting to answer any questions that council may have regarding either of these items.

#### **Recommendation**

It is recommended that council approve the request.

Main Street Jams  
Steve Tolson  
March 14, 2022  
**STATE OF SOUTH CAROLINA**

**TOWN OF FORT MILL**

A RESOLUTION DESIGNATING MAIN STREET AS THE SITE OF A PUBLIC FESTIVAL AT WHICH ALCOHOLIC BEVERAGES MAY BE POSSESSED, SOLD AND CONSUMED, AND TO AUTHORIZE A SPECIAL EVENT PERMIT FOR LIVE MUSIC AND SOUND AMPLIFYING EQUIPMENT ON THESE SATURDAYS in 2022, APRIL 16 FROM 12PM-6PM, JULY 16 FROM 5PM-9PM, SEPTEMBER 17 FROM 12PM-9PM AND ON DECEMBER 10 FROM 10AM-3PM.

**WHEREAS**, Sec. 24-30 of the Code of Ordinances of the Town of Fort Sec. 24-30. Display, consumption of beer, wine or other alcoholic beverages in public. It shall be unlawful to openly display or consume any beer or wine or other alcoholic beverage in or from any container on any public street or sidewalk, in any public parking areas, parks, recreation areas, or at any public gathering place excluding the following:

- i. Private businesses;
- ii. Any areas as designated and approved in a Special Event Permit issued by the Town of Fort Mill.
- a. This section is not intended to be in conflict with and will not be in conflict with any state laws regulating the consumption of sealed, licensed liquors.
- b. The application of this section shall in no way affect the enforcement or prosecution of violations of Section 24-26. - Breach of peace; disorderly conduct; obscenity; drunkenness; indecent or dangerous conduct, or any other Town Ordinances or State Law.
- c. Any person found to be guilty of violating the terms of this section shall, upon conviction be punished in accordance with Section 1-6.

**WHEREAS**, Sec. 24-34(c)(2)(l) of the Code of Ordinances for the Town of Fort Mill generally prohibits loud, disturbing and unnecessary noise from sound amplifying devices; however, the council may grant a special event permit to responsible organizations to broadcast programs of music, speeches or general entertainment as a part and in recognition of a community celebration of national, state or town events, public festivals, or outstanding events of a noncommercial character, provided that traffic on the streets is not obstructed by reason thereof and adequate provisions will be made to minimize the disturbance to neighboring residential areas; and

**WHEREAS**, the Main Street Jams scheduled to take place Saturdays, April 16 from 12PM-6PM, July 16 from 5PM-9PM, September 17 from 12PM-9PM and on December 10 from 10AM-3PM on Main Street, Fort Mill from Tom Hall Street to Academy Street; and

**WHEREAS**, the Town Council has determined that the applicant has proposed and will take the necessary precautions protect public safety and minimize the impact of unreasonable noise to surrounding residences;

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Town Council for the Town of Fort Mill does hereby designate Main Street, Fort Mill from Tom Hall Street and Academy Street as the site of a public festival at which alcoholic beverage may be sold, possessed and consumed, on Saturdays, April 16 from 12PM-6PM, July 16 from 5PM-9PM, September 17 from 12PM-9PM and on December 10 from 10AM-3PM in 2022.

**BE IT FURTHER RESOLVED**, that the Mayor and Town Council further authorizes a special event permit for live music and sound amplifying equipment on Main Street on Saturdays, April 16 from 12PM-6PM, July 16 from 5PM-9PM, September 17 from 12PM-9PM and on December 10 from 10AM-3PM in 2022.

**SIGNED AND SEALED** this \_\_\_\_ day of \_\_\_\_\_, 2022, having been duly adopted by the Town Council for the Town of Fort Mill on the \_\_\_\_ day of \_\_\_\_\_, 2022.

Signed: \_\_\_\_\_  
Guynn Savage  
Mayor

Witness: \_\_\_\_\_  
Virginia Burgess  
Town Clerk





Meeting Information	
Meeting Type	Town Council
Meeting Date	March 14, 2022

Request Summary					
Request Type		Action (Old Bus.)		Action (New Bus.)	X
		Public Hearing		Executive Session	
					Info/Discussion
					Other

Case Summary					
Case Type		Annexation		Rezoning	
		Subdivision Plat		Appearance Review	X
					Text Amendment
					Other

## Title

2020 Town Council Redistricting Benchmark Report

## Background Information

### Request Summary

Town staff has been working with the South Carolina Revenue and Fiscal Affairs office (RFA) to begin the necessary steps in order to complete a redistricting for the Town of Fort Mill. The first step was the completion of the 2020 Redistricting Benchmark Report, which is attached. This report outlines the population and demographics of each of our existing wards as they are geographically drawn today. The data within this report will advise the RFA on what changes need to be made to the wards in order to be in compliance with all applicable laws and regulations relating to redistricting (Equal Protection Clause of the 14<sup>th</sup> Amendment, federal Voting Rights Act, etc.).

The next step in the process is for staff to present the report to Council and receive feedback prior to RFA drafting a new ward map. Council's primary responsibility at this step is to assist staff and RFA in defining "communities of interest" that benefit from staying together within a ward. Quoting the RFA:

#### *WHAT ARE "COMMUNITIES OF INTEREST"?*

*A community of interest is not a set standard for defining districts but is considered as part of the traditional redistricting principles. A community of interest could be a neighborhood, community, or group of people that has common policy concerns, as well as social and economic interests, and would benefit from being maintained in a single district. Another way of understanding a community of interest is that it is simply a way for a community to tell its own story about what residents share in common, and what makes it*

*unique when compared to surrounding communities. Many times, multiple communities may exist in an area or cross traditional boundaries like schools and voting precincts. Keeping communities of interest together is an important principle in redistricting and participating in a public hearing helps to ensure that communities are not left out of the political process.*

Upon receipt of our input, the RFA will begin to draft a new map. Please note – the RFA is assisting several jurisdictions that have elections in 2022 and therefore those jurisdictions are a higher priority than the Town at this point in time since our next election isn't until 2023. That being said, RFA assures us that there is no cause for concern with our redistricting not being completed in time for the 2023 elections.

Once a new map has been drawn, staff and RFA will present the map at a public hearing and Town Council will be able to adopt the new ward map with the approval of two readings of an ordinance.

For more information about redistricting, please see the attached informational document provided by RFA.

Staff Contact	
Name & Title	Chris Pettit, Assistant Town Manager
Department	Administration
Date of Request	March 14, 2022

Attachments	
<ul style="list-style-type: none"><li>• 2020 Redistricting Benchmark Report</li><li>• RFA Overview of Redistricting in South Carolina</li></ul>	



# 2020 REDISTRICTING BENCHMARK REPORT

## TOWN OF FORT MILL

**REPORT PREPARED BY:**

South Carolina Revenue and Fiscal Affairs  
Rembert Dennis Building, Room 419  
1000 Assembly Street  
Columbia, South Carolina 29201  
(803)-734-3793  
[www.rfa.sc.gov](http://www.rfa.sc.gov)

February 11, 2022

## REDISTRICTING REPORT 2020

### PRESENTED TO: TOWN OF FORT MILL

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The South Carolina Revenue and Fiscal Affairs Office (RFA) has prepared the following analysis and accompanying maps regarding the redistricting for the Town of Fort Mill Council.

RFA strives to release data that is complete, accurate, and useful. However, we ask that you notify us, either by email ([redistricting@rfa.sc.gov](mailto:redistricting@rfa.sc.gov)) or phone (803-734-3793), of any discrepancies.

#### ITEMS TO NOTE PRIOR TO REVIEWING THIS REPORT:

- The 2020 Census presents new challenges regarding redistricting as the data below the state level will be affected by the U.S. Census Bureau's efforts with respect to differential privacy. The Bureau has stated that the total population in each state will be "as enumerated," but that all other levels of geography could have some variance from the raw data. This variance is referred to by the Census Bureau as "injecting noise" into the data and is an attempt to improve privacy. The bureau has indicated that no "noise" will be injected into the state total population, but it is likely that noise will be injected for every other level of geography. More noise is injected as the geography levels get smaller. In other words, population counts at the county, city, or block level may not be "as enumerated".
- Race is defined following the guidance provided in OMB Bulletin No. 00-02 which allocates population counts of a "minority race and white" category to the minority race. In Tables 2 and 3, NH DOJ Black is the sum of Non-Hispanic Black and Non-Hispanic Black and White as recommended by the Department of Justice (DOJ).

## CONSIDERATIONS FOR PRELIMINARY PLAN:

In developing a preliminary plan, RFA recommends following constitutional and statutory provisions:

- The requirement of “one person, one vote” under the Equal Protection Clause of the 14<sup>th</sup> Amendment and accepted variances.
- The Voting Rights Act, primarily Section 2, which protects the interest of the racial minority population.
- Other applicable court decisions and federal and state law.

Further, RFA recommends the following set of traditional redistricting principles be considered:

- Districts or wards will be drawn contiguously, so that all parts of the district or ward are connected to each other.
- Districts or wards will be drawn to minimize the division of voting precincts.
- Districts or wards will be geographically compact to the extent practicable, such that nearby areas of population are not bypassed for a more distant population.
- Districts or wards will be drawn, when feasible, with respect to existing districts and communities of interests, which will require input from Council and the citizens.
- Districts or wards will be drawn to comply with other applicable court decisions and federal and state laws.

2020 CENSUS BENCHMARK REPORT

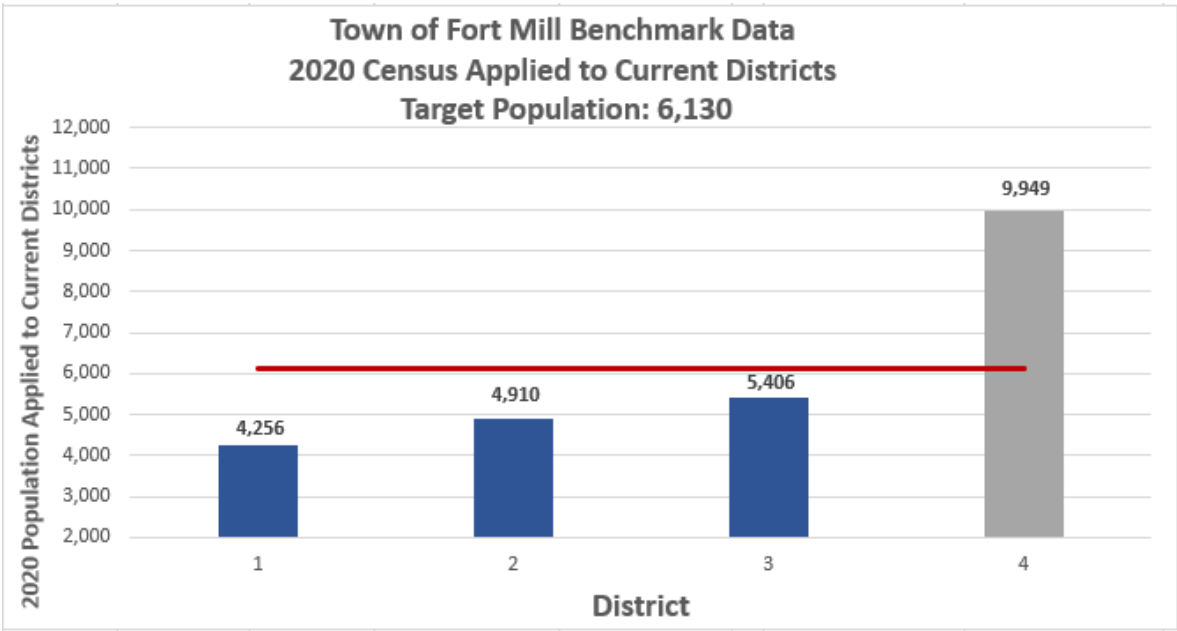
The population of the Town of Fort Mill has increased 126.8% from 10,811 to 24,521. As a result, the ideal district changed from 2,703 to 6,130. The Benchmark Report noted a deviation range of 92.87% (the sum of the highest deviation, 62.29%, and the absolute value of the lowest deviation | -30.57% | ) which is above the maximum range of 10%. RFA recommends a deviation range of 5%.

The following table and chart show which districts are (under-) or over-populated indicating potential adjustments needed to be within the allowable deviation range.

TABLE 1: 2020 CENSUS COUNTS APPLIED TO CURRENT DISTRICTS

District	2020 Census	Goal	Over/(Under)	% Deviation
1	4,256	6,130	(1,874)	-30.57%
2	4,910	6,130	(1,220)	-19.91%
3	5,406	6,130	(724)	-11.81%
4	9,949	6,130	3,819	62.29%
Lowest	-30.57%			
Highest	62.29%			
Range	92.87%			

CHART 1:



MAP 1:

Council District Lines and  
Addresses of Incumbents

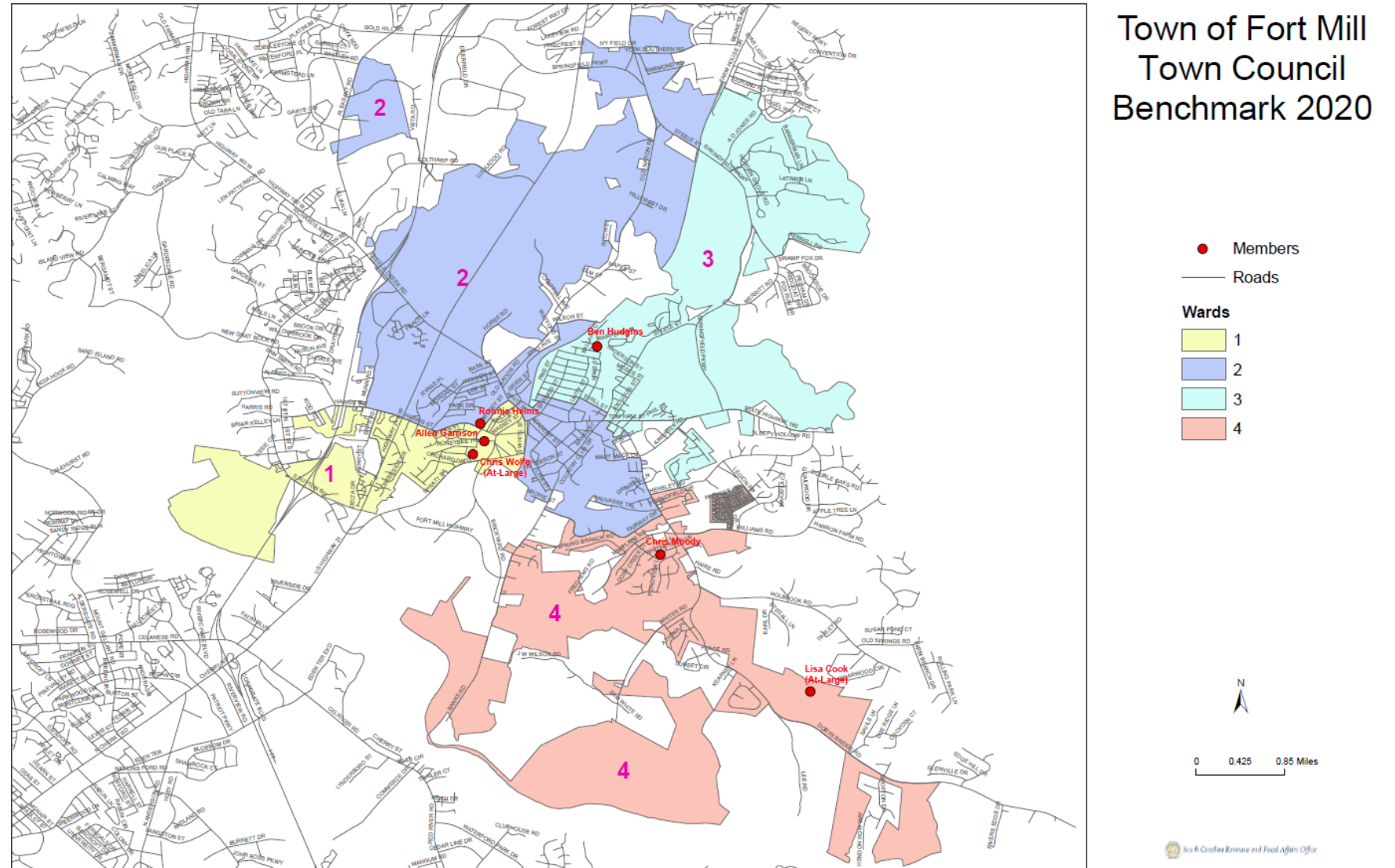


TABLE 2: TOTAL POPULATION BY RACE \*RACE DEFINED USING DOJ DEFINITIONS. NOT HISPANIC OR LATINO IS ABBREVIATED AS NH.

District	Total	Hispanic	% Hispanic	NH White	% NH White	NH DOJ Black*	% NH DOJ Black	NH Other Race	% NH Other Race
1	4,256	344	8.08%	2,855	67.08%	731	17.18%	326	7.66%
2	4,910	283	5.76%	3,625	73.83%	487	9.92%	515	10.49%
3	5,406	297	5.49%	3,508	64.89%	1,059	19.59%	542	10.03%
4	9,949	747	7.51%	7,222	72.59%	989	9.94%	991	9.96%
Total	24,521	1,671	6.81%	17,210	70.18%	3,266	13.32%	2,374	9.68%

TABLE 3: VOTING AGE POPULATION BY RACE \*RACE DEFINED USING DOJ DEFINITIONS. NOT HISPANIC OR LATINO IS ABBREVIATED AS NH.

District	Total VAP	Hispanic VAP	% Hispanic VAP	NH White VAP	% NH White VAP	NH DOJ Black* VAP	% NH DOJ Black VAP	NH Other Race VAP	% NH Other Race VAP
1	2,927	222	7.58%	2,075	70.89%	438	14.96%	192	6.56%
2	3,863	181	4.69%	3,017	78.10%	332	8.59%	333	8.62%
3	3,797	200	5.27%	2,544	67.00%	713	18.78%	340	8.95%
4	6,393	445	6.96%	4,759	74.44%	599	9.37%	590	9.23%
Total	16,980	1,048	6.17%	12,395	73.00%	2,082	12.26%	1,455	8.57%



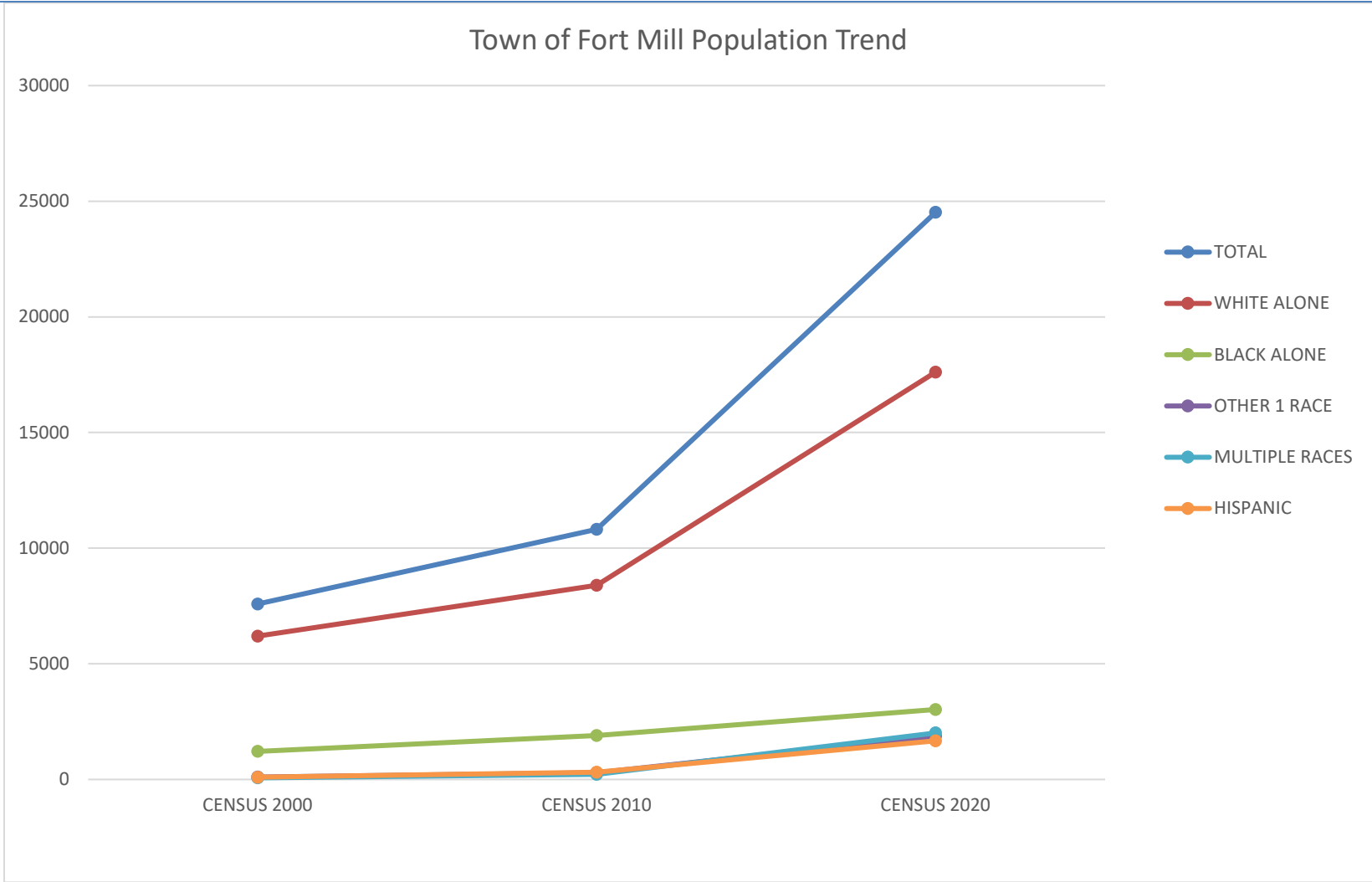
## RFA ANALYSIS RESULTS:

Due to data limitations, RFA has not yet completed the voting analysis. If the data becomes available, we will provide the results to Council.

## RFA RECOMMENDATIONS:

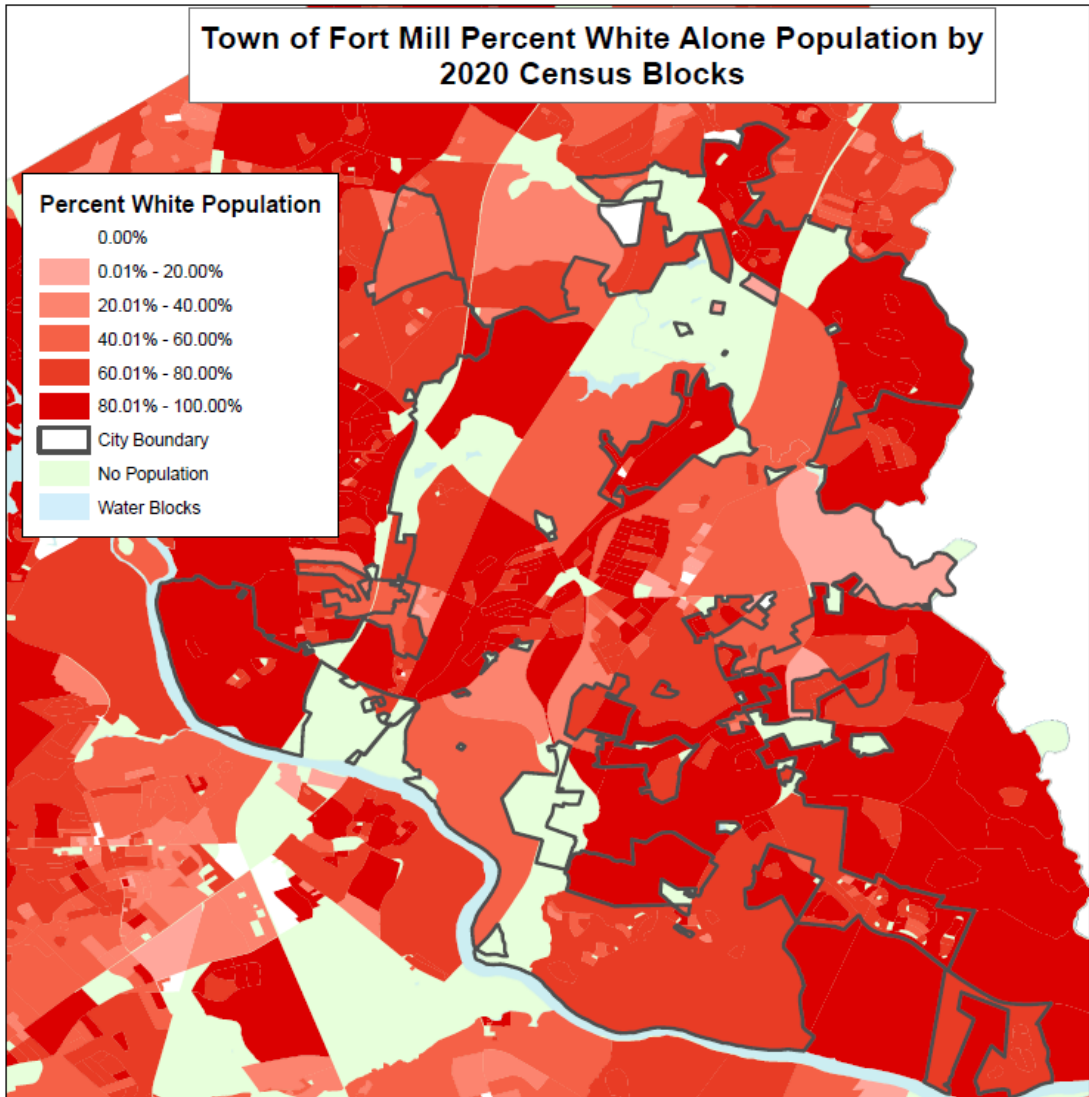
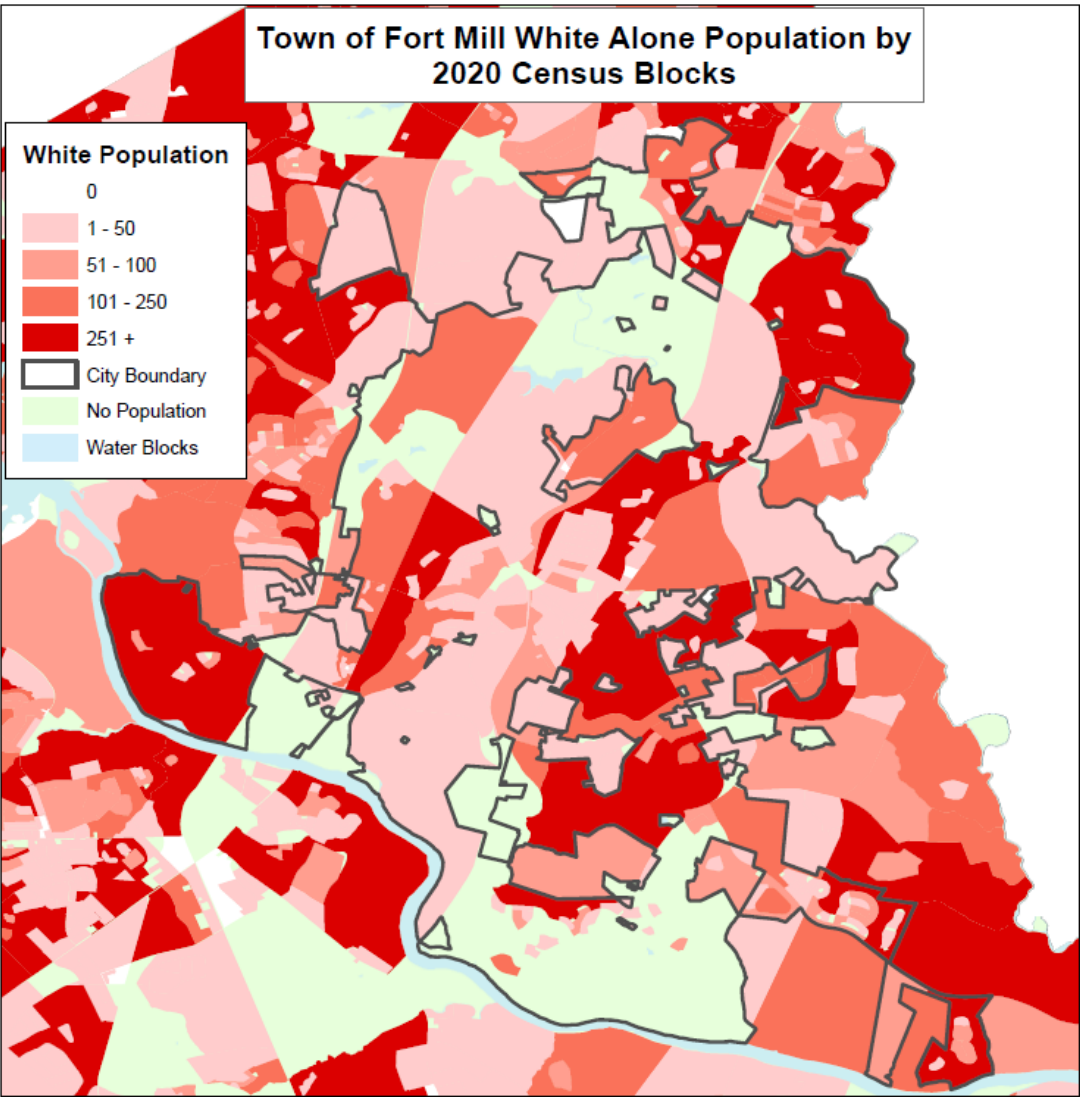
- RFA requests Council conduct a public meeting to discuss this report and solicit feedback from the public.
- RFA recommends Council adopt, through either a resolution or acceptance of this plan, the following traditional redistricting principles:
  - Districts or wards will be drawn contiguously, so that all parts of the district or ward are connected to each other.
  - Districts or wards will be drawn to minimize the division of voting precincts.
  - Districts or wards will be geographically compact to the extent practicable, such that nearby areas of population are not bypassed for a more distant population.
  - Districts or wards will be drawn to comply with other applicable court decisions and federal and state laws.
  - Districts or wards will be drawn, when feasible, with respect to existing districts and communities of interests, which will require input from Council and the citizens.
- RFA recommends Council give careful consideration to minority districts for compliance with Section 2 criteria of the Voting Rights Act.
- Because of the potential effects of differential privacy, RFA recommends Council adopt a deviation range of 5%.

CHART A-1 POPULATION TREND BY SINGLE RACE, 2000 - 2020

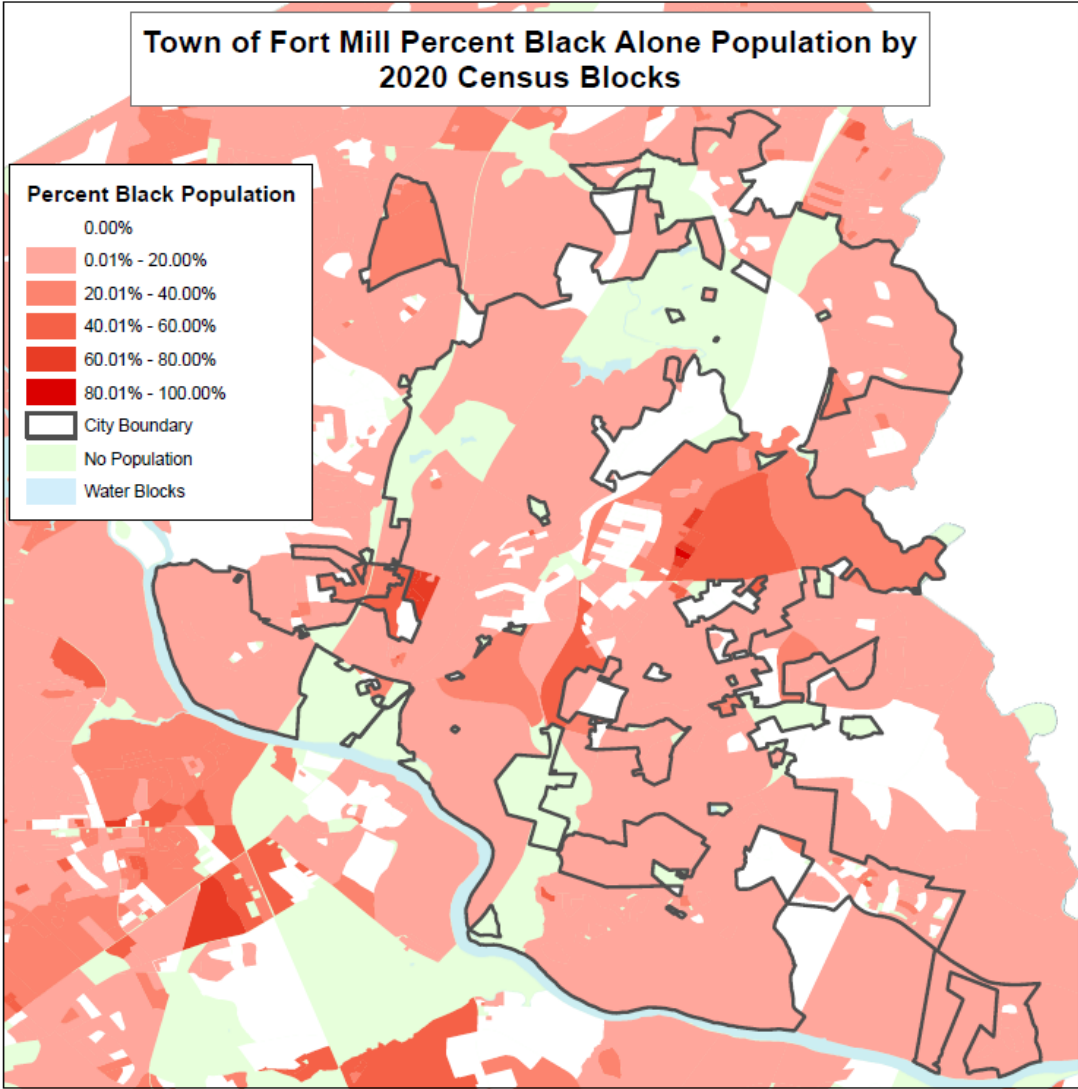
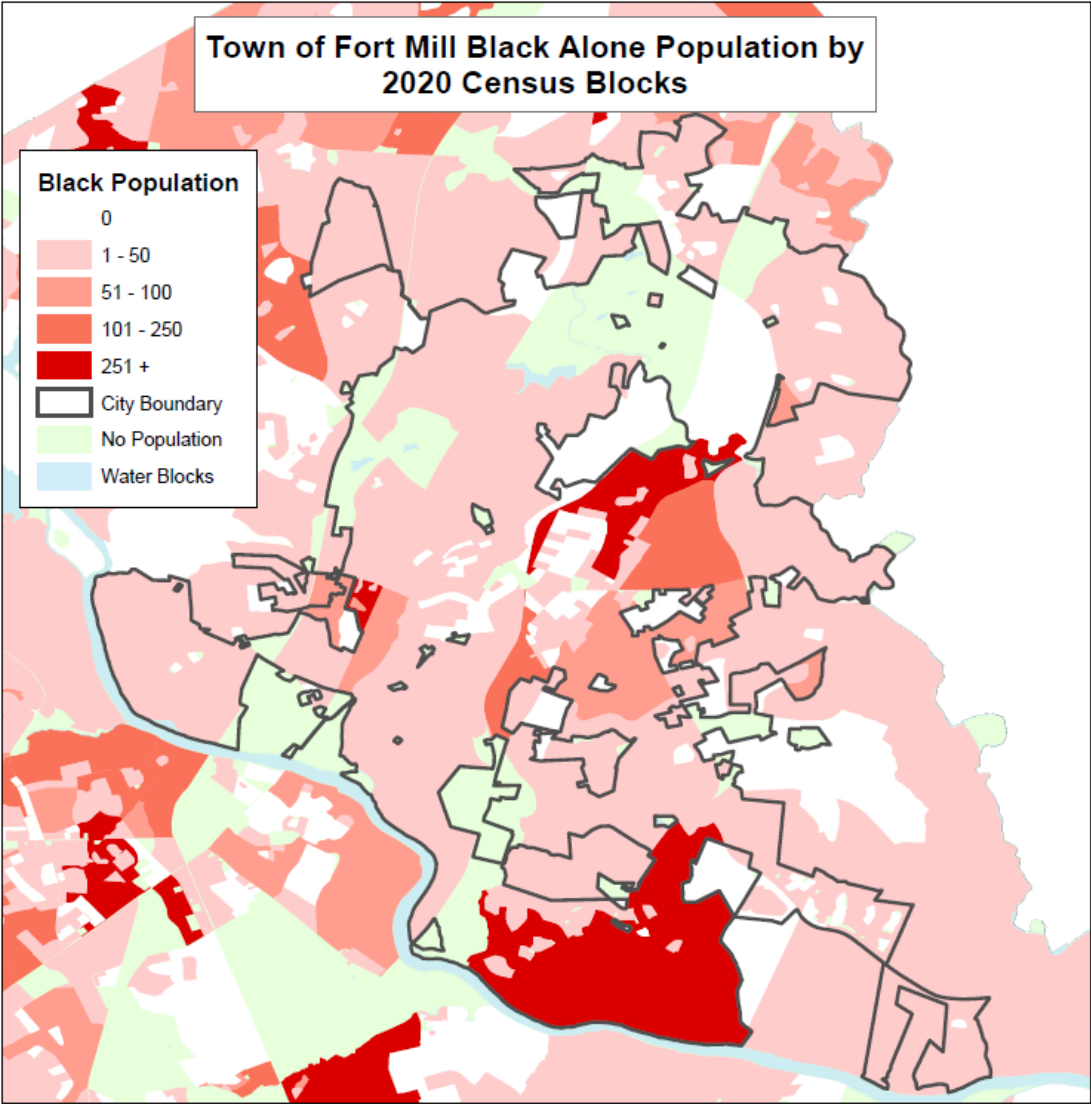


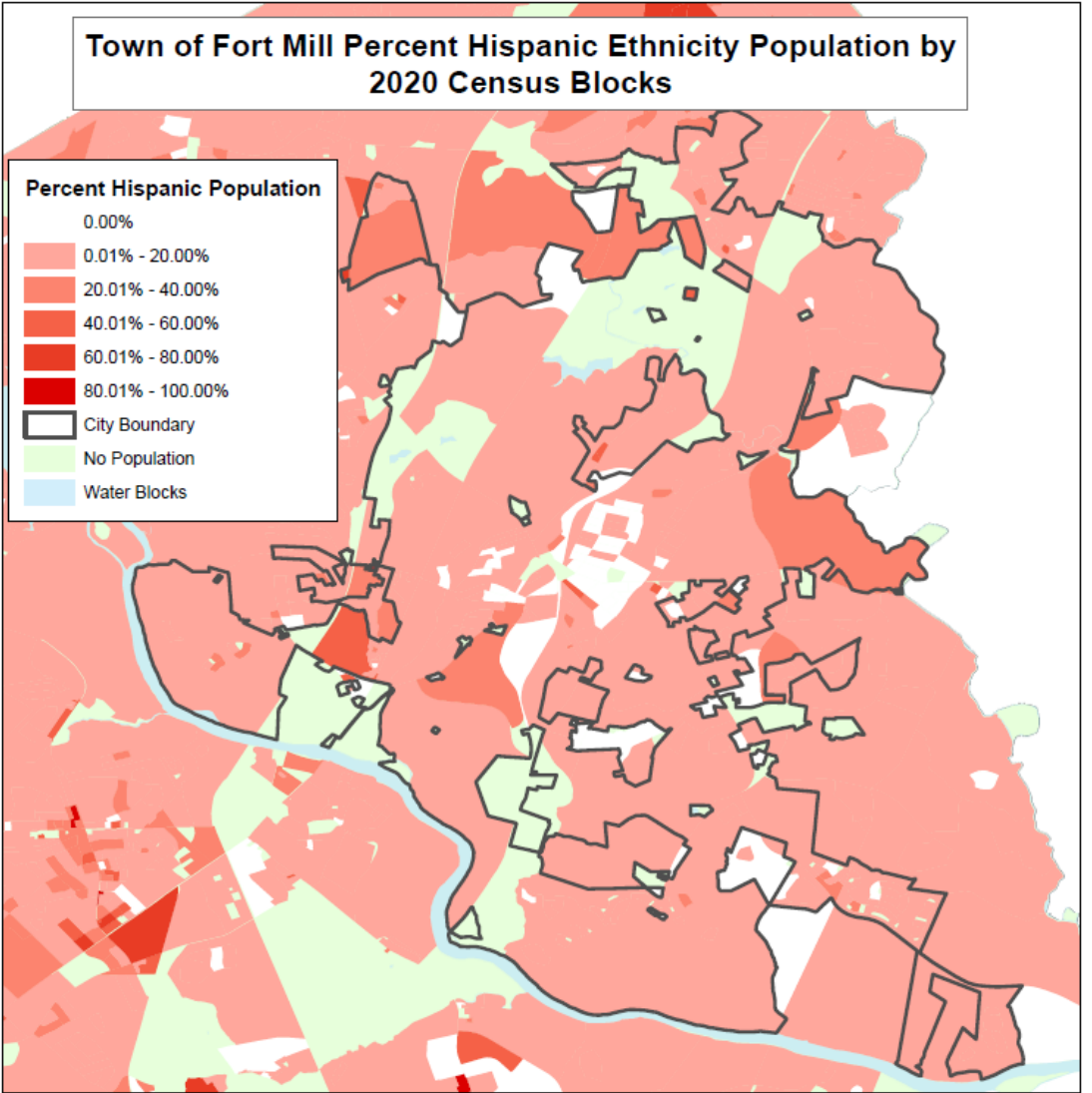
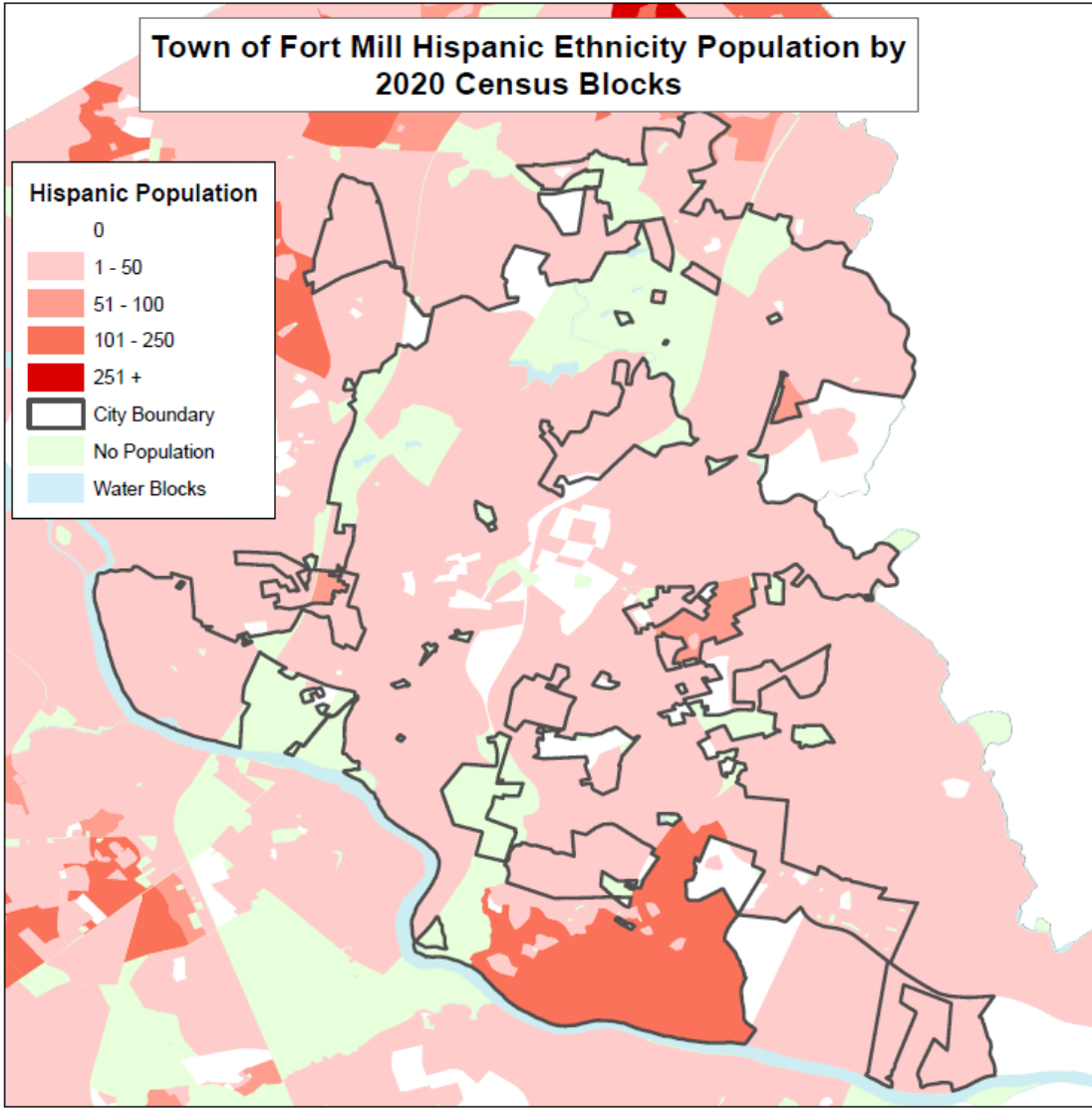
APPENDIX B - MAPS BY SINGLE RACE CATEGORIES (CORRESPONDS WITH TABLE A-2)

MAPS BY SINGLE RACE CATEGORY - WHITE



MAPS BY SINGLE RACE CATEGORY - BLACK







## REDISTRICTING IN SOUTH CAROLINA

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### **Q: WHAT IS REDISTRICTING AND HOW DOES IT DIFFER FROM REAPPORTIONMENT?**

Redistricting is the process of redrawing the lines of districts from which public officials are elected. It typically takes place after each census to accommodate population changes over the previous decade. Redistricting affects all jurisdictions that have single-member elections, whether for members of Congress, state legislatures, county councils, city councils, school boards, etc. and seeks to equalize population among districts.

Reapportionment is the reallocation of congressional seats in the U.S. House of Representatives based on total state population. Like with redistricting, it is performed after the release of the state population totals based on the latest decennial census, which was the 2020 Census.

### **Q: WHY SHOULD I CARE ABOUT REDISTRICTING?**

Simply put: It's about your vote having the same impact as others.

One of the greatest rights the people of South Carolina have is to elect their own representatives to conduct the business of their government. Redistricting is the process to maximize that right. By engaging in the redistricting process, communities may have a better opportunity to express their interests in establishing districts for the next ten years.

### **Q: WHEN SHOULD REDISTRICTING BE COMPLETED?**

S.C. Code of Laws §4-9-90 requires counties to redistrict within a reasonable time prior to the next general election following the federal decennial census. There is no corresponding statute for other political subdivisions but similar constitutional principles apply.

Ordinarily, redistricting is to be accomplished before the start of the next election's filing period. If the redistricting simply cannot be accomplished before the start of the next election's filing period, the federal courts have generally allowed those elections to go forward using the prior maps – provided that the government has a “reasonably conceived plan” for timely completion of the new maps. The delay of the release of the 2020 census may impact the ability to accomplish this before November 2022.

### **Q: HOW IS REDISTRICTING COMPLETED?**

Generally, redistricting is an action just like a bill or ordinance and follows the same legislative process. Council must adopt the criteria that describes the key factors to be considered in the plan and discuss the plan at two or more meetings.

### **Q: WHO IS RESPONSIBLE FOR REDRAWING THE LINES OF THE VARIOUS ELECTORAL DISTRICTS?**

The responsibility varies for electoral districts at the federal, state and local levels. The following lists examples of common electoral districts and the entities responsible for redrawing the boundaries:

- U.S. Congress – Districts are drawn by the S.C. General Assembly.
- S.C. House of Representatives and Senate – Each legislative body draws its own districts.
- County Council – Districts are drawn by the County Council.
- City Council – Districts are drawn by the City Council.
- School Districts – Districts are drawn by the S.C. General Assembly.

### **Q: WHY DO WE REDRAW THE LINES?**

The U.S. Constitution, the S.C. Constitution and state law, among other authorities, require South Carolina to redraw electoral lines. Redistricting also is the fair and equitable thing to do to ensure people have effective representation in the various levels of government as populations change and communities grow and shrink. Ideally, redistricting enhances participation and representation in our democracy.

### **Q: WHAT CRITERIA ARE USED TO REDRAW ELECTION DISTRICT LINES?**

The criteria used for redistricting include:

- Districts must be of equal population, or as nearly as practical, to comply with the Equal Protection Clause of the 14<sup>th</sup> Amendment and the principle of “one person, one vote.”
- Districts must comply with the federal Voting Rights Act to ensure that minorities have an equal opportunity to elect representatives of their choice.
- Districts must be drawn contiguously, so that all parts of the district are connected to each other.
- Districts must minimize the division of voting precincts, cities, counties, neighborhoods, and communities of interest to the extent possible.
- Districts should be geographically compact so that nearby areas of population are not bypassed for a more distant population.
- Districts must comply with other applicable court decisions and federal and state laws.

### **Q: WHAT ARE “COMMUNITIES OF INTEREST”?**

A community of interest is not a set standard for defining districts but is considered as part of the traditional redistricting principles. A community of interest could be a neighborhood, community, or group of people that has common policy concerns, as well as social and economic interests, and would benefit from being maintained in a single district. Another way of understanding a community of interest is that it is simply a way

for a community to tell its own story about what residents share in common, and what makes it unique when compared to surrounding communities. Many times, multiple communities may exist in an area or cross traditional boundaries like schools and voting precincts. Keeping communities of interest together is an important principle in redistricting and participating in a public hearing helps to ensure that communities are not left out of the political process.

**Q: WHAT IS THE ROLE OF THE S.C. REVENUE AND FISCAL AFFAIRS OFFICE (RFA) IN REDISTRICTING?**

RFA provides state and local governments with services performed in accordance with redistricting laws and principles. However, RFA does not provide legal advice or representation.

**Q: HOW CAN I GET INVOLVED?**

As part of the legislative process, public hearings are a key part of the process and redistricting is no exception. Public hearings are often held to allow for a more informal but detailed explanation of the proposed changes. Attending and participating in these events or contacting your representatives about redistricting are key ways to be informed and involved.

In the S.C. General Assembly, redistricting bills go through the legislative process, which typically allows for public testimony. County and city councils are required to have public hearings before final approval of redistricting measures.

**Q: WHERE CAN I FIND MORE INFORMATION ON REDISTRICTING?**

For more information on redistricting in South Carolina, please visit our website: [rfa.sc.gov](http://rfa.sc.gov).





Meeting Information	
Meeting Type	Town Council
Meeting Date	March 14, 2022

Request Summary					
Request Type		Action (Old Bus.)		Action (New Bus.)	X Info/Discussion
		Public Hearing		Executive Session	Other

Case Summary					
Case Type		Annexation		Rezoning	X Text Amendment
		Subdivision Plat		Appearance Review	Other

## Title

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR THE TOWN OF FORT MILL; ARTICLE II, REQUIREMENTS BY DISTRICT; SECTION 24, COD/COD-N CORRIDOR OVERLAY DISTRICT; TO DELETE POLE SIGNAGE; ARTICLE III, SIGNS; SECTION 2, SECTION 4, SECTION 5, SECTION 6, SECTION 14, AND SECTION 17; TO AMEND THE REQUIREMENTS FOR TEMPORARY SIGNAGE AND TO DELETE POLE SIGNAGE; ARTICLE VI, ADMINISTRATION, ENFORCEMENT, PENALTIES, AND FEES; SECTION 4, TEMPORARY USES AND SPECIAL EVENTS; TO AMEND THE CONSECUTIVE DAY LIMIT AS TO REFLECT CHANGES IN ARTICLE III; AND, TO PROVIDE OTHER MATTERS RELATING THERETO

## Background Information

### Background

Due to an increase in development and marketing opportunities staff has seen an influx in promotional temporary signage within the Town limits. Many of these signs are illegal under the current zoning ordinance but a need to strengthen the code to make it more concise regarding the problem areas was identified by staff. These areas primarily include subdivision directional signs along with other temporary promotional signs. Staff has received numerous complaints relating to these issues. Examples of these types of signs have been included in the packet.

### Discussion

This text amendment would primarily:

- Remove pole signs as an allowable sign. Staff has not permitted a new pole sign in quite some time as ground/monument signage is much preferred, but they are allowed under the current code in some zoning districts.
- Delete language that allows for off premise real estate directional signage. The current section of the ordinance that bans off-premise signage adds a caveat that allows for off-premise real estate

directional signage. This creates a loophole that can create an issue for staff during enforcement.

- Include yard sale signage in the “signs allowed without a permit” section of the ordinance. Yard sale signs are minor in nature and the current staff has never received an application for a yard sale sign.
- Amend real estate accessory signage, such as for open houses, and add to the “signs allowed without a permit” section of the ordinance. Staff does realize the need for a real estate accessory sign on occasion but also added language to limit the size, number, and location of such signs as to not clutter intersections in Town with no relation to the property.
- Include election signage in the “signs allowed without a permit” section of the ordinance. The conditions provided have been tailored to give candidates ample time and visibility opportunities during election season while also maintaining a high aesthetic standard throughout Town.
- Include feather flags in the “signs allowed without a permit” section of the ordinance. Feather flags are currently not allowed but Town leaders have expressed an interest in allowing this type of signage as identification markers for churches and businesses across Town.
- Reduce the number of temporary subdivision signs allowed to one per project entrance. One temporary subdivision sign per project entrance gives developers ample ability to identify and advertise their product.
- Reduce the duration, size, and number of temporary promotional signs allowed. Currently there is not a cap on the number of temporary promotional signs a property can have at one time and the duration is 60 days, twice a year, which could result in signs being up for one third of every year.

For these reasons, staff recommends in favor of the proposed text amendment as it will:

- Strengthen vague language as it pertains to temporary signage while still providing businesses and other uses within the community reasonable identification for new projects/promotions.
- Alleviate the Town from becoming marred by an excessive number of oversized and poorly designed signs that could ultimately adversely affect residential and business properties throughout the community.
- Give staff the ability to better enforce the signage code while also giving prospective sign applicants more precise language as to what is allowed.

Alternatives	
1.	Recommend approval of the ordinance
2.	Recommend approval of the ordinance with modifications
3.	Recommend denial of the ordinance

Staff Recommendation	
Recommendation	Staff recommends in favor of APPROVAL of the ordinance amending the signage requirements.
Name & Title	Penelope Karagounis, Planning Director
Department	Planning Department
Date of Request	TBD

Legislative History	
Planning Commission	TBD
First Reading	TBD
Public Hearing	TBD
Second Reading	TBD
Effective Date	Upon adoption

Attachments
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- Draft Text Amendment Ordinance

STATE OF SOUTH CAROLINA  
TOWN COUNCIL FOR THE TOWN OF FORT MILL  
ORDINANCE NO. 2022-\_\_\_\_

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR THE TOWN OF FORT MILL; ARTICLE II, REQUIREMENTS BY DISTRICT; SECTION 24, COD/COD-N CORRIDOR OVERLAY DISTRICT; TO DELETE POLE SIGNAGE; ARTICLE III, SIGNS; SECTION 2, SECTION 4, SECTION 5, SECTION 6, SECTION 14, AND SECTION 17; TO AMEND THE REQUIREMENTS FOR TEMPORARY SIGNAGE AND TO DELETE POLE SIGNAGE; ARTICLE VI, ADMINISTRATION, ENFORCEMENT, PENALTIES, AND FEES; SECTION 4, TEMPORARY USES AND SPECIAL EVENTS; TO AMEND THE CONSECUTIVE DAY LIMIT AS TO REFLECT CHANGES IN ARTICLE III; AND, TO PROVIDE OTHER MATTERS RELATING THERETO

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE TOWN COUNCIL FOR THE TOWN OF FORT MILL:

**SECTION I. Amending the Zoning Ordinance for the Town of Fort Mill;** Article II, Requirements by Districts; Section 24, COD/COD-N Corridor Overlay District; Article III, Signs; Section 2, Section 4, Section 5, Section 6, Section 14, and Section 17; Article VI, Administration, Enforcement, Penalties, and Fees; Section 4, Temporary Uses and Special Events is hereby amended to read as follows:

ARTICLE II. – REQUIREMENTS BY DISTRICT

Sec. 24 – COD/COD-N Corridor overlay district.

12) Signs

A) Freestanding signs.

- 1) Freestanding identification signs for nonresidential and multi-family uses are permitted along the Corridor in accordance with the following standards, which shall supersede the standards of the underlying zoning district for freestanding signs:
  - (a) No parcel with less than 50 feet of frontage on the Corridor shall be permitted to have a freestanding sign. Wall-mounted signs shall be permitted in such instances.
  - (b) Parcels with 50 to 200 feet of frontage on the Corridor may be permitted to have one freestanding sign.
    1. Maximum height: 4 feet
    2. Maximum sign face area: 0.5 square feet per 2 linear feet of frontage, up to a maximum sign area of 30 square feet (total)
    3. Minimum setback from right-of-way: 5 feet
  - (c) Parcels with more than 200 feet of frontage on the Corridor may be permitted to have up to two free standing signs.
    1. General provisions:
      - a. Maximum height: 7 feet
      - b. Maximum sign face area (total): 50 square feet

- c. Minimum setback from ROW: 5 feet
- 2. Special provisions for unified, nonresidential, multi-tenant developments:
  - a. Unified development signs that identify only the development shall be permitted. Within the same maximum sign face area, individual tenants or establishments may also be identified. Separate freestanding signs identifying individual tenants or establishments shall not be permitted in conjunction with the unified development signs.
  - b. Each permitted sign shall conform to standards set forth for freestanding signs except that, if the street frontage of the unified development exceeds 300 feet, such standards may be modified as follows:
    - i. Maximum height: 22 feet in height above the grade of the frontage street
    - ii. Maximum sign face area: 250 square feet per side
    - iii. Minimum setback from ROW: 10 feet
    - iv. Minimum separation between signs: 350 feet
  - (d) Internal lighting of signs, neon, LED, and flashing signs shall not be permitted along the Corridor, except that up to 20% of the actual sign face may be utilized for LED display of public service messages such as time, temperature, or gas prices, in instances where LED signs are permitted within the underlying zoning district. Such signs shall be subject to all other requirements pertaining to LED signs within the appropriate underlying zoning district, as provided in article III. Any public use (including schools) which contains at least 2,000 linear feet of road frontage along the corridor shall be permitted to have one electronic changeable message sign (LED), provided the sign shall comply with all other requirements pertaining to LED signs within the appropriate underlying zoning district, as provided in article III.
  - (e) Building floodlighting shall not be permitted, except in COD-N.

~~B) Pole signs.~~

- ~~1) — Only parcels that lie wholly or in part within 150 feet of the Interstate 77 right of way shall be permitted to utilize pole signs, per Article III, Sec. 14. Pole signs shall be prohibited on all other parcels along the Corridor not meeting this requirement.~~

C) Wall mounted signs.

- 1) Wall mounted signs shall be permitted per Article III, Sec. 16.

D) Temporary signs.

- 1) The provisions of this subsection shall not apply to temporary signs permitted per Article III, ~~Sec. 17.~~

E) All other applicable sign standards pertaining to freestanding signs per Article III shall apply along other street frontages.

## ARTICLE III. - SIGNS

### Sec. 1. - Scope of regulations.

The regulations herein set forth shall apply and govern in all districts. No sign shall be erected or maintained unless it is in compliance with the regulations of this section and Chapter 23 of the Standard Building Code.

### Sec. 2. - Definitions.

- 1) *Sign*: The term "sign" shall mean and include every sign, billboard, poster panel, freestanding ground sign, roof sign, projecting sign, pylon sign, illuminated sign, sign painted on a wall, window, marquee, awning or canopy, and shall include any announcement, declaration, demonstration, display, ribbon, banner, illustration, or insignia used to advertise or promote the interests of any person when the same is placed in the view of the general public, traveling along a public street right-of-way.
- 2) *Freestanding sign structure*: A freestanding sign structure may contain a sign or signs on one side only or it may be a V-shaped structure or one containing signs back-to-back. A freestanding sign structure is one sign.
- 3) *Sign area*: In the case of freestanding signs, sign area consists of the entire surface area of the sign on which copy could be placed. Where a sign has two faces back-to-back, the area of only one face shall be considered the sign surface area. The supporting structure or bracing of a sign shall not be counted as a part of the sign's surface area. The sign surface area of a freestanding sign shall not exceed 100 square feet.
- 4) *Business identification sign*: A business identification sign is a sign that contains the name of the business enterprise located on the same premises as the sign and the nature of the business conducted there. Not more than one-third of the area of a business identification sign may be devoted to commodity or service advertising.
- 5) *Pylon sign*: A business identification pylon sign erected on a single pole or multiple poles which contains only the name or the nature of the business conducted on the premises on which it is located.
- 6) *Illuminated signs*: When artificial illumination techniques are used in any fashion to project the message on a sign, that sign shall be an illuminated sign.
- 7) *Off-premises signs*: A structure which advertises, attracts attention to, or directs persons to a business activity located on other than the premises where the structure is erected. Nationally advertised products or services shall not be deemed to be located on or carried on at the premises of local retail outlets or branch offices. ~~This definition shall not include real estate directional signs.~~
- 8) *Temporary signs*: Any portable advertisement display that directs or attracts public attention to a specific event, product sold or service offered by the beneficiary of such display. Such signs include but are not limited to the following:
  - A) Signs made of paper, cloth polyethylene film or other similar material;
  - B) Signs that are not permanently affixed to the ground or a building surface in a manner approved by the building inspector;
  - C) Trailer signs;
  - D) Portable signs;

- E) Banners, flags, or other similar devices.
- 9) *Freestanding signs*: Freestanding signs are supported from the ground by a structure and are not attached to a building. There are two types: a pole sign and a ground sign. Their principal purpose is establishment identification.
  - 10) *Pole sign*: A pole sign is elevated high above ground level, typically on a pole or other structure.
  - 11) *Ground signs*: Ground signs are low to the ground and are typically used to identify large buildings, institutions, and real estate developments.
  - 12) *Merchandising signs*: Merchandising signs identify products or services available at an establishment and their prices. It shall be mounted to the structure of a pole sign or to other freestanding sign structure, and shall not be placed on a moveable frame or wheels.
  - 13) *Wall signs*: Wall signs are attached to the wall of a building and project out from such walls no more than 14 inches. The area of a wall sign includes that area within a continuous line enclosing all letters and graphic symbols of the sign.
  - 14) *Unified development signs*: Signs for unified developments, such as shopping centers, office parks, etc., should identify only the development, not individual tenants or establishments.
  - 15) *Sign, electronic changeable copy*. A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays.
  - 16) *Sign, electronic graphic display*. A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.
  - 17) *Sign, multi-vision*. Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.
  - 18) *Sign, video display*. A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames that give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

### Sec. 3. - General provisions.

The following regulations shall apply to all permitted signs in the area of jurisdiction of the Fort Mill Planning and Zoning Commission:

- 1) A permit shall be required for the erection, alteration, or reconstruction of any sign, unless otherwise noted, which shall be issued by the zoning administrator in accordance with

article IV of this ordinance. The fee schedule for such permits shall be established by the town council during the adoption of the annual budget ordinance.

- 2) Signs shall be constructed of durable materials, maintained in good condition and not permitted to become dilapidated.
- 3) All signs located on sites abutting federal or state highway rights-of-way shall conform to all applicable federal and state regulations. In instances where the sign control provisions of this ordinance are more strict, then this ordinance shall apply.

#### Sec. 4. - Prohibited signs.

The following types of signs shall be prohibited within the corporate limits of the Town of Fort Mill:

- 1) Signs resembling or imitating traffic and/or warning signals. No sign shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles nor shall any sign use the words "stop", "danger", or any other word, phrase, symbol, or character in a manner that might mislead or confuse an automobile or other vehicular driver.
- 2) Signs on roadside appurtenances. Signs attached to or painted on utility poles, trees, parking meters, bridges, overpasses, rocks, other signs, benches, refuse containers, the roofs of buildings, etc., unless specifically allowed elsewhere in this chapter.
- 3) Projecting signs. Projecting signs from any building or structure, except in GI, LC and HC zoning districts, provided:
  - a. Such signs shall not exceed 12 square feet in area;
  - b. Such signs may not extend more than three feet from the facade to which they are attached;
  - c. Such signs shall not impede the movement and/or visibility of pedestrians, bicyclists and/or motor vehicles;
  - d. No such sign shall be permitted which encroaches into a public right-of-way without first obtaining an encroachment permit from the appropriate granting authority; and
  - e. No more than one projecting sign shall be permitted for any place of business.
- 4) Off-premises signs. General advertising signs and billboards that advertise a commodity or service not available on the premises on which the sign is erected are considered off-premises signs.
- 5) Roof signs. Roof signs or portions of other signs that extend above the highest elevation in a roof.
- 6) Portable signs. Signs mounted on wheels or other portable framework and other moveable signs except as permitted in article III, section 6, subsection 8).
- 7) Animated/flashing signs and signs of illusion. Signs displaying blinking, flashing, or intermittent lights, or animation, moving parts, or signs giving the illusion of movement, unless specifically allowed elsewhere in this chapter.
- 8) Abandoned signs and sign structures. Signs that advertise an activity or business that is no longer conducted on the property on which the sign is located. Such signs or sign structures must be removed within 30 days of becoming an abandoned sign or sign structure.
- 9) Pennants, streamers, balloons, etc. Signs containing or consisting of pennants, ribbons, streamers, balloons, or spinners.
- 10) Signs obstructing access. Signs that obstruct free ingress or egress from a driveway, or a required door, window, fire escape, or other required exit-way.



- 11) Signs located in the right-of-way. All signs located in the right-of-way, unless specifically allowed elsewhere in this chapter. This shall exclude any sign erected by the town or other public agency that is qualified to install any such sign within a right-of-way for directional, informational, or public safety purposes.
- 12) Inflatable signs or balloons.
- 13) Electronic graphic display signs.
- 14) Multi-vision signs.
- 15) Video display signs.
- 16) [Pole signs.](#)

Sec. 5. - Signs for which a permit is not required.

- B) permit is not required for the following type of signs in any zoning district:
  - 1) Traffic, directional, warning, or information signs authorized by any public agency.
  - 2) Official notices issued by any court, public agency, or officer.
  - 3) One nonilluminated "For Sale", "For Rent", or "For Lease" sign not exceeding six square feet in area in residential districts and twenty square feet in other than residential districts and located no less than ten feet back from the street right-of-way line, unless attached to the front wall of a building.
  - 4) Permitted home occupation signs, under the regulations set forth in article I, section 7, subsection F.7).
  - 5) [Yard sale signs cannot be posted more than two days prior to the sale and must be removed on the day of the sale. Sales must be limited to two days.](#)
  - 6) [One nonilluminated real estate accessory sign, such as to advertise open house, displayed during business hours, not more than six square feet. Sign must be located on the site of the property for sale, and one additional sign may be located at the subdivision entrance.](#)
  - 7) [Election signs, provided:](#)
    - a. [Such signs shall not be located on public property or in the public right-of-way and must be confined wholly to placement on private property, with permission of the property owner.](#)
    - b. [Such signs shall not be placed earlier than 60 days prior to the election to which they apply and must be removed within 7 days after the election.](#)
    - c. [Such signs shall not exceed 6 square feet in area and shall not exceed a height of 4 feet.](#)
  - 8) [Feather flags.](#)

Sec. 6. - Regulations applying to specified types of signs.

The following regulations apply to the following specified types of signs:

- 1) Signs on work under construction: One nonilluminated sign, not exceeding forty square feet in area, displaying the name of the building, the contractors, the architects, the engineers, the owners, the financial, selling, and development agencies, is permitted upon the premises of any work under construction, alteration or removal. Such sign shall be removed from the site within 30 days after the completion of the project.
- 2) Temporary subdivision signs: Temporary signs, not exceeding forty square feet in area, announcing a land subdivision development, are permitted on the premises of the land subdivision. They shall be set back not less than ten feet from the right-of-way of any

- street or from any boundary line of the land subdivision. Such signs ~~shall be spaced not less than three hundred feet apart~~ are limited to a maximum of one per project entrance. They shall be removed when seventy-five percent of the lots are conveyed.
- ~~3) Open house/special promotion real estate directional signs may be erected for one 36-hour period one time per week. There may be three such signs for one piece of property.~~
  - ~~4) Routine real estate directional signs shall be limited to three for one piece of property. Only one such sign per firm shall be permitted at any given intersection. These signs are to be removed within 48 hours after closing of the property for which the signs were used.~~
  - ~~5) All off-premises real estate directional signs shall be used only for properties for sale, not for properties for rent or lease.~~
  - ~~6) Yard sale signs cannot be posted more than two days prior to the sale and must be removed on the day of the sale. Sales must be limited to two days. Permits are limited to four per year.~~
  - ~~7) Temporary signs including promotional signs, displays, banners, etc. Temporary signs, displays, banners, etc., are allowed in commercial districts providing the following requirements are met:~~ Temporary promotional signs are allowed provided the following requirements are met:
    - A) A sign permit is required for all temporary signs. A responsible individual shall make application for a sign permit in writing on a form provided by the town, with such being reviewed and approved by the town building official before any temporary outdoor sign, ~~display, banner, etc.~~, is installed, erected, and/or displayed.
    - B) That advertising of the above description may be displayed for no more than ~~60~~ 30 days for a specific promotion.
    - C) An organization or individual may apply for only two temporary sign permits within a calendar year and there shall be at least 30 days' lapse from the end of one permit until the start of the second.
    - D) A maximum of one sign not exceeding six square feet in area is allowed per permit.
    - E) Civic, religious, and other nonprofit community organizations may be allowed with permission of the town manager, to erect and/or otherwise display signs, banners, etc., on or over town property, causeway, walkways, etc., provided, that such material is neither controversial nor offensive; that the activity or concern advertised is of community interest; and that any erection across a public street, causeway, walkway, etc., shall be done by a licensed, bonded, and insured party.
    - F) Materials erected or displayed shall be of a quality, size, and nature so as not to cause litter, hazard, obstruction, or unreasonable distraction.
    - G) All such signs, ~~banners, displays, etc.~~, shall remain the responsibility of the owner, advertise, and/or sponsoring group and any damage, injury, and/or expense incurred by the town or its personnel shall be borne by same.
    - H) Upon becoming damaged or deteriorated, such signs, ~~banners, displays, etc.~~, shall be immediately removed.

Sec. 7. - Sign illumination.

- 1) Illumination devices shall be so placed and so shielded that rays therefrom or from the sign itself will not be directly cast into any residential district or sleeping room in any district or the eyes of an automobile or vehicle driver.
- 2) No flashing lights are permitted on any sign. Internal or flood lighting is permitted as long as the lighting consists of only yellow or white light.

Sec. 8. - Height limitations.

No signs, except as otherwise specified, shall exceed the height limit of the district in which they are located. The height of a freestanding sign shall not exceed 24 feet.

Sec. 9. - Signs permitted in front yard, side yard, and rear yard limitations.

Except as otherwise specifically provided, no sign shall be erected within the front yard setback, side yards or rear yards required for all buildings and structures in the district.

Sec. 10. - Signs permitted in residential districts.

The following types of signs are permitted in R-25, R-15, R-10, and GR districts:

- 1) One nonilluminated professional or business name plate not exceeding two square feet in area mounted flat against the wall of a building in which there is conducted a permitted home occupation.
- 2) For multiple-family dwellings, hotels, group dwellings, and for buildings other than dwellings, a single nonilluminated business identification sign or bulletin board not exceeding six square feet in area. Such sign or bulletin board shall be set back not less than ten feet from any street right-of-way line, unless attached to the front wall of a building.
- 3) Temporary subdivision signs, under the provisions set forth in section 6, subsection 6) of this article.

Sec. 11. - Signs permitted in commercial and industrial districts.

The following types of signs are permitted in commercial and industrial districts:

- 1) All signs permitted in residential districts are permitted in commercial and industrial districts.

Sec. 12. - Administration and enforcement.

Sign regulations, as set forth in this section, shall be administered under the provisions of article VI.

Sec. 13. - Ground signs.

Ground signs are low to the ground and are typically used to identify large buildings, institutions, and real estate developments.

- 1) Maximum height. Eight feet above normal ground level.
- 2) Maximum number. One for each street frontage except in the case of a real estate development, in which case two are allowed, one on either side of the main entry way street.
- 3) Maximum area. Internally illuminated—66 square feet. Nonilluminated or indirectly illuminated—80 square feet. If setback is in excess of 50 feet from facing property line, maximum area may be increased 0.7 square feet for each additional foot of setback up to a maximum sign area of 150 square feet.

- 4) Minimum setback. Fifteen feet from any property line and/or three feet from right-of-way. Line-of-sight guidelines must be followed.
- 5) Advertising message. Letters, symbols, and graphics of a ground sign should not occupy more than 40 percent of total sign area.

~~Sec. 14. - Pole signs.~~

- ~~B) pole sign is elevated high above ground level, typically on a pole or other structure.~~
- ~~1) Maximum height. 24 feet above the grade of the frontage street.~~
  - ~~2) Maximum number. One for each premises regardless of the number of establishments.~~
  - ~~3) Maximum area. Internally illuminated—55 square feet. Nonilluminated or indirectly illuminated—66 square feet.~~
  - ~~4) Minimum setback. No portion of the sign shall be nearer than ten feet to any property line.~~
  - ~~5) Advertising message. Letters, symbols, and graphics of a pole sign shall not occupy more than 40 percent of the total sign area.~~

Sec. 15. - Merchandising signs.

Merchandising signs identify products or services available at an establishment and their prices. It shall be mounted to the structure of a pole sign or other freestanding sign structure. It is not to be placed on a moveable frame or wheels and it should conform to the following standards:

- 1) Maximum height. Ten feet.
- 2) Maximum area. 36 square feet.
- 3) Minimum setback. Ten feet from any property line or driveway.
- 4) Maximum number. One for each establishment.

Sec. 16. - Wall signs.

Wall signs are attached to the wall of a building and project out from such walls no more than 14 inches. The area of a wall sign includes that area within a continuous line enclosing all letters and graphic symbols of the sign.

Maximum sign area. No wall sign shall exceed an area equal to 15 percent of the area of the wall to which it is affixed. No wall sign shall have an area greater than 150 square feet except that, if the sign has a setback greater than 50 feet from its frontage, its area can be increased one square foot for each additional foot of setback up to a maximum of 450 square feet. Where a sign is placed on a pitched roof, and below its ridge, it is considered a wall sign. The area of the roof will be considered part of the total wall area.

~~Sec. 17. - Temporary signs.~~

~~The use of temporary signs to advertise real estate developments or sales events, is discouraged and they should be promptly removed after their purpose has been served. They should conform to standards set forth for freestanding signs except that, if they are pole signs, their height should be limited to 12 feet, and area size to 32 square feet.~~

Sec. 18. - Unified development signs.

Signs for unified developments, such as shopping centers, office parks, etc., should identify only the development and individual tenants or establishments. If it is a wall sign, its area should not exceed 15 percent of that section of the wall to which it is attached and not exceed a maximum area of 450

square feet. If it is a freestanding sign, it should conform to standards set forth for freestanding signs except that, if the street frontage of the unified development exceeds 300 feet, such standards may be modified as follows:

- 1) Maximum height. 30 feet above the grade of the frontage street;
- 2) Maximum area. For every foot of street frontage in excess of 300 feet, maximum sign area may be increased as follows:
  - 1) 0.14 square foot for internally illuminated signs, up to a maximum sign area of 96 square feet
  - 2) 0.2 square feet for indirectly illuminated or nonilluminated signs up to a maximum sign area of 120 square feet.

#### Sec. 19. - Electronic signs.

- 1) Electronic changeable copy signs. Electronic changeable on-premise copy signs are permitted in all zoning districts.
  - a) Time, temperature, and gasoline price displays are allowed, but must not exceed 20 square feet of the sign face.
  - b) All other changeable copy signs shall only be permitted with the following restrictions:
    1. Such signs shall remain static at all times—Scrolling, blinking, flashing and/or movement of any kind shall be prohibited.
    2. For signs located less than ten feet from the ground, the electronic area shall not exceed 40 percent of the allowed/permitted sign face. For signs located at least ten feet from the ground, the electronic area shall not exceed 50 percent of the allowed/permitted sign face.
    3. The message must not change more than once every six seconds.
    4. Illumination shall be no greater than 7,500 nits during daylight hours and no greater than 500 nits during evening hours.
    5. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic changeable copy sign.
    6. The leading edge of the sign must be a minimum distance of 100 feet from an abutting residential district boundary. This requirement shall not apply to permitted non-residential uses located within a residential zoning district, including, but not limited to, public facilities and religious institutions; provided, however, that no sign shall be erected within 150 feet from any residential dwelling.
    7. In any historic overlay district within the municipal limits of the Town of Fort Mill, electronic signs shall not be permitted to be installed, affixed or displayed in any location that is visible from a public street or right-of-way.
    8. Subparagraphs 2., 6. and 7. shall not apply to any digital sign that is legally in existence as of August 1, 2011.

### ARTICLE VI – ADMINISTRATION, ENFORCEMENT, PENALTIES, AND FEES

#### Sec. 4. – Temporary uses and special events.

- 3) General standards for temporary uses. All temporary uses, structures, or special events shall meet the following general standards, unless otherwise specified in this Ordinance:
  - A) *General.* The temporary use shall not be detrimental to property or improvements in the

surrounding area or to the public health, safety, or general welfare.

- B) *Compliance with Town Code of Ordinances.* All temporary uses shall be subject to all other requirements in the Code of Ordinances and Zoning Ordinance for the Town of Fort Mill, including provisions related to business licenses, vendor permits, or other town authorization.
- C) *No adverse effects.* The temporary use or event shall not have substantial adverse effects or noise impacts on nearby residential neighborhoods, unless the temporary use or event is exempt from such regulations pursuant to section 24-34 of the Code of Ordinances.
- D) *Permanent alterations prohibited.* The temporary use or event shall not cause any permanent alterations to the site. This provision shall not apply to any temporary sales office located within a model home that is intended to be converted to residential use upon expiration of the temporary use.
- E) *Temporary signs.* Temporary sign permits may be issued for temporary uses and events pursuant to article III, section 6(7) of the Zoning Ordinance. Notwithstanding the provisions of article III, section 6(7), the zoning administrator shall be authorized to waive the ~~60~~ 30 consecutive day time limit for temporary signs for uses and events that are permitted to take place on a weekly or monthly basis (such as farmers markets); provided any such signs shall be erected and removed on the same day that the use or event takes place.
- F) *Conditions of approval.* The temporary use or event shall not violate any applicable conditions of approval that apply to the principal use on the site, if any.
- G) *Undeveloped property.* If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or event to occur, as well as adequate land to accommodate any parking and traffic movement associated with the temporary use without disturbing environmentally-sensitive lands.
- H) *Location.* Tents and other temporary structures must be located so as to not interfere with the normal operations of any permanent use located on the property. The temporary use or event shall not encroach into setback areas, landscaped areas, buffers or designated open space. The temporary use or event shall have shall not negatively impact traffic movements, pedestrian circulation, sensitive or protected resources, or the availability of sufficient parking.
- I) *Off-street parking.* Adequate off-street parking shall be provided to accommodate the proposed temporary use or event.
- J) *Inspections.* All inspections and permits required by applicable building codes shall be approved by the appropriate person and/or agencies. Additional inspections and/or approvals by state and local agencies may also be required.
- K) *Restroom facilities.* Where a temporary use or event is expected to draw more than 250 attendees per day, the applicant shall provide temporary restroom facilities.
- L) *Security.* Where warranted, the applicant shall provide adequate security to protect the general health and welfare of individuals and property at the location where the temporary use or event is proposed to take place, as well as neighboring properties and public rights-

of-way.

**SECTION II. Invocation of Pending Ordinance Doctrine.** If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

**SECTION III. Severability.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION IV. Effective Date.** This ordinance shall be effective from and after the date of adoption.

**SIGNED AND SEALED** this \_\_\_\_ day of \_\_\_\_\_, 2022, having been duly adopted by the Town Council for the Town of Fort Mill on the \_\_\_\_ day of \_\_\_\_\_, 2021.

First Reading:  
Public Hearing:  
Second Reading:

TOWN OF FORT MILL

\_\_\_\_\_  
Guynn H. Savage, Mayor

LEGAL REVIEW

ATTEST

\_\_\_\_\_  
Barron B. Mack, Jr, Town Attorney

\_\_\_\_\_  
Virginia Burgess, Town



Meeting Information	
Meeting Type	Town Council
Meeting Date	March 14, 2022

Request Summary					
Request Type		Action (Old Bus.)		Action (New Bus.)	X Info/Discussion
		Public Hearing		Executive Session	Other

Case Summary					
Case Type		Annexation		Rezoning	Text Amendment
		Subdivision Plat		Appearance Review	X Other

## Title

Discussion for the Trails Master Plan for the Town of Fort Mill.

## Background Information

### **Background**

In 2020, a resolution to support the amending of the Carolina Thread Trail Master Plan for the Town of Fort Mill was approved by Town Council. This amendment added another segment of trails to provide more options for trails in the Town. This started the discussion to have a comprehensive Master Plan for trails in the Town of Fort Mill. A couple of months after the resolution, COVID-19 disturbed our livelihood, but we learned the importance of being able to connect with nature and get outside to preserve our quality of life. Therefore, the Town of Fort Mill is committed to start the process of the Master Plan for Trails. The Fort Mill Master Plan for trails will serve as a living document that will be updated as new opportunities become available. The goal of this project is to connect existing trails with future destinations such as the downtown area, identify other locations for establishment of new trails, and prioritize segments for trail construction based on feasibility and opportunity. We recognize that bicycle and pedestrian infrastructure should be an integral part of the community.

### **Discussion**

Our objectives for the Trail Master Plan are:

- To establish a vision for the future of trails within the Town of Fort Mill



- To develop an implementation plan that puts us on the path toward reality on realizing the vision
- To study up to two to three corridors more intensely for construction feasibility and design for short term construction consideration

**Our Process for the Trail Master Plan:**

1. Finalize an RFP based upon conversation tonight
2. Select a consultant
3. Establish a trail master plan committee that will be the primary lead in meetings / discussions of the plan creation
4. Review the existing conditions, talk to the community stakeholders, review applicable plans in place, determine important points in town, etc.
5. Verify the vision
6. Identify and map a future network of trails that connects with the vision, with up to two “prioritized segments” identified for further study
7. Complete feasibility studies for up to two corridors to put us in a position to be able to move forward with construction in the short term
8. Establish plans / guidelines for:
  - a. Overall design considerations
  - b. Possible funding opportunities and strategies
  - c. Long term maintenance needs / requirements / costs
  - d. Marketing / Branding

We would like to have a discussion with Council to see if we can proceed with our RFQ for the project. We would like to know if our proposal meets the Town’s expectation, and we would like to hear feedback as well.

Options	
1.	Recommend Staff to proceed with a RFQ for the Trails Master Plan.
2.	Recommend to staff amendments to the objectives of the Trail Master Plan.

Staff Recommendation	
Agenda Item Status	TBD
Name & Title	Penelope Karagounis, Planning Director
Department	Planning Department
Date of Request	March 14, 2022

Legislative History	
Planning Commission	TBD
First Reading	TBD
Public Hearing	TBD

Second Reading	TBD
Effective Date	Upon adoption

### Attachments

- Draft RFQ

The Town of Fort Mill sits in the northeast corner of York County tucked between the scenic Catawba River and the North Carolina state line. The Town was founded in 1873 and was originally a rural farming area and then blossomed into a major center for textile manufacturing. As the textile manufacturing concluded in the Town, other elements like the school district's excellent national ranking school system thrived, the creation of a vibrant downtown, good job market in both Charlotte and Fort Mill, proximity to the Charlotte Douglas International Airport, excellent quality of life with access to Anne Springs Close Greenway, and the spillover growth from Charlotte attracted many residents to the Town. The Town of Fort Mill maintains a sense of small-town even though the Town has seen tremendous growth in the last 10 years. In 2010, the population of the town limits of Fort Mill was 10,273 and in 2020, the population was at 24,521. We are attracting many people to come be a part of our lovely community and we value to maintain our sense of community for the future. It is important to us to help sustain our excellent quality of life.

The Town of Fort Mill prides itself on being a conservationist gem in South Carolina with a strong focus on family, festivals, and footpaths. We are very fortunate to have the Anne Springs Close Greenway in our backyard. This organization has conserved over 2,000 acres for people to celebrate and experience nature. The Town of Fort Mill is committed in creating a Master Plan for trails to help facilitate connectivity throughout the Town. The Town desires a trail system to be able to connect neighborhoods, commercial corridors, schools, and other popular destinations within and outside of the Town, so we can create viable options for non-motorized transportation. This trail system will create environmental benefits by promoting and preserving local ecology and promote cultural vibrancy by increasing equitable access to nature and the community.

In 2020, a resolution to support the amending of the Carolina Thread Trail Master Plan for the Town of Fort Mill was approved by Town Council. This amendment added another segment of trails to provide more options for trails in the Town. This started the discussion to have a comprehensive Master Plan for trails in the Town of Fort Mill. A couple of months after the resolution, COVID-19 disturbed our livelihood, but we learned the importance of being able to connect with nature and get outside to preserve our quality of life. Therefore, the Town of Fort Mill is committed to start the process of the Master Plan for Trails. The Fort Mill Master Plan for trails will serve as a living document that will be updated as new opportunities become available. The goals of this project is to connect existing trails with future destinations such as the downtown area, identify other locations for establishment of new trails, and prioritize segments for trail construction based on feasibility and opportunity. We recognize that bicycle and pedestrian infrastructure should be an integral part of the community.

The Plan should integrate and build on existing plans:

- Carolina Thread Trail Master Plan
- Town of Fort Mill 2040 Comprehensive Plan
- RFATS Bicycle/Pedestrian Connectivity Plan
- RFATS 2050 Long Range Transportation Plan
- RFATS Collector Street Network Plan
- York County 2035 Comprehensive Plan
- Winthrop Study 2021

**Project Goals:** To identify opportunities of building new trails and connecting existing trails throughout the Town. We would like to inform and educate the Town of Fort Mill residents on the Master Plan for trails. We would like to receive data on destinations, environmental assets/hazards, and other information that may provide opportunities or challenges to implement recommended trail alignments. A recommended alignment and alternative alignments are important, and we are able to receive preliminary cost estimates to inform the Town of future costs of implementation.

**Scope of Work:** The Town of Fort Mill seeks a qualified firm to produce a Master Plan for Trails. The scope of work should at a minimum have six important tasks to implement. These six tasks would be:

- Task 1: Project Management, Public Participation, and Branding
- Task 2: Overview of Existing Conditions/Trails
- Task 3: Site (s) Inventory and Analysis---Include Feasibility Studies for multiple corridors
- Task 4: Design Considerations and Recommendations
- Task 5: Cost Estimate and Implementation Program
- Task 6: Final Report

We would like to have monthly invoices and written progress reports as we go through the process.

#### Task 1: Project Management and Public Participation

This will include the Mayor, Town Manager, Assistant Town Manager and the Fort Mill Planning Department to serve on a Trail Committee, where the consultant would provide us draft documents and monthly invoices and reports. It would be ideal to have two members of the Fort Mill Planning Commission and two members of the Fort Mill Town Council to serve on this Trail Committee, along with staff liaison from the Anne Springs Close Greenway and the Carolina Thread Trail. We should have a kickoff meeting and at least two public input meetings regarding the Master Plan for trails.

The branding element of the project would be done as a separate scope since we do not want the branding analysis to delay the long range and implementation plan for the Master Plan for Trails. We would like to create a Town Brand/Logo. The Trail committee would review the branding development process. The consultant should suggest public involvement ideas in the RFQ; this could be in the form of a public meeting, social media, or any other creative ideas the consultant and the trail committee feel would provide public feedback.

#### Task 2: Overview of Existing Conditions/Trails

This should provide a brief overview of existing conditions of trails and parks in the Town of Fort Mill. Existing conditions should include physical characteristics of project area, demographic data, economic and housing data, transportation, historic and cultural assets, existing recreation facilities, and provisions of existing planning documents applicable to the Master Plan. Existing conditions analysis should include discussion of connectivity and service from both resident and visitor perspective. We would like to implement a trail connection to all our significant town parks and point of interest in the Town.

#### Task 3: Site(s) Inventory and Analysis

Establish parameters for proposed trails. Describe physical, natural and historic/cultural resources and legal restrictions related to sites as well as potential impacts on development and use. Analyze the

opportunities and constraints. Work with staff to understand Town of Fort Mill assets for future development to connect trails to. Provide a base map showing existing conditions. A visual map showing proposed improvements with different option of type of trails. A memorandum would also be needed to summarize the inventory analysis, which includes preliminary recommendations for alignments of the proposed trails.

#### Task 4: Design Considerations and Recommendations

The plan must provide considerations and alternative designs that address opportunities and constraints, environmentally sensitive areas, environmentally sensitive areas, and other relevant geographic and demographic information. The plan should provide us options for branding the trails in the Town of Fort Mill. A map of the potential trail alignments; development of typical trail sections (two and three priority segments for the Town to build), development of landscape and hardscape design standards for trails and signage and proposed design compliance with applicable federal and state laws. Our first priority is to identify the plan and cost to connect the Anne Springs Close Greenway to the Downtown of Fort Mill. This connection would be vital to connect recreational opportunities to the heart of the Town's thriving downtown business community. We would want a proposed schedule from the consultant on the time outcomes for the project.

#### Task 5: Cost Estimate and Implementation Program

We need a detailed cost estimate for the development of proposed trails (including engineering and other professional services cost, construction and material cost, project administration cost, and a contingency of at least \_\_\_\_ of construction cost estimate). A proposed plan for implementation of recommendations and cost estimate for maintenance and operations. A look at how to identify property acquisition requirements and development of strategies and cost estimates (This could be by adding language to our ordinance to require developers to build trails as part of their development process in residential and commercial developments). Examine how to develop policies for the Town to consider in implementing the Master Plan for trails. We would also need a branding/signage guidelines for our trails too with cost estimates a design/color standards for the branding and signage. We would also like for the consultant to use Carolina Thread Trail as a source of sign templates. The branding and signing guidelines would be part of a separate submittal from the Master Plan of Trails final document.

#### Task 6. Final Report

The final report should include the following:

1. Executive Summary
2. Purpose, Goals, Objectives
3. Public Participation
4. Background Information
5. Site Inventory and Analysis
6. Design Considerations and Recommendations with Alternatives
7. Cost Estimate and Implementation Program (including Policy Amendments to Zoning Ordinance Recommendations)

The Town would like a final draft of the study and all associated maps (PDF Format) with all the map shapefiles and supporting data in ArcGIS format. We would like a final presentation in PowerPoint format to be presented to the Trail Steering Committee and then to the Town Council. We would also like to have public outreach materials to give to our citizens. It would be ideal to have some of the branding ideas implemented in these documents.



Meeting Information	
Meeting Type	Town Council
Meeting Date	March 14, 2022

Request Summary					
Request Type		Action (Old Bus.)		Action (New Bus.)	X Info/Discussion
		Public Hearing		Executive Session	Other

Case Summary					
Case Type		Annexation		Rezoning	Text Amendment
		Subdivision Plat		Appearance Review	X Other

## Title

Discussion of Article II, Requirements by District; Section 21, THCD Tom Hall Street Corridor District

## Background Information

**Background** Staff has been tasked with researching a potential text amendment regarding car washes and auto repair garages within the THCD.

**Discussion** Car washes, permitted in the Highway Commercial (HC) district, are prohibited in the Tom Hall Corridor District (THCD). In addition, repair garages are allowed within the HC district but prohibited in the THCD with exceptions.

In 2007, with the creation of the Tom Hall Corridor Overlay, car washes, repair garages, and tire retail and repair facilities were prohibited in the overlay. In 2011 the ordinance was amended to modify the existing language in the ordinance to provide an exception that would allow for the expansion of auto repair garages and tire repair facilities, provided they were in existence before the adoption of the THCD overlay district, and that any such facilities must observe the following conditions: that if a repair garage was lawfully in existence prior to the establishment of the THCD overlay, and if such facility has continued to operate without interruption since that date, then the owner or operator of any such facility may be permitted to expand his existing facility under the following conditions: 1) where feasible, a suitable landscaped buffer or fence shall be used to screen the facility from neighboring residential uses; 2) any outdoor storage and/or holding areas shall be screened from public view by a suitable fence and

appropriate landscaped buffer; and 3) the overnight storage of vehicles shall be prohibited, unless such vehicles are located inside the facility or within any enclosed and properly screened storage area.

Currently, repair garages and tire retail and repair facilities are prohibited; except for those that existed before the overlay district. Car washes, permitted by right in the HC district, are prohibited in the THCD.

The matter is whether to remove car washes from the list of prohibited uses or allow such facilities as conditional uses within the THCD overlay and establish such conditions. Some conditions to consider is enhancing buffer requirements; orientation of building; separation requirements from residential lots or residential zoning districts; and limited hours of the operation of a car wash. Staff would be happy to add any conditions which Council deems appropriate to the text amendment.

If the Town Council decides to allow car washes with or without conditions as an allowable use in the THCD, then car washes would be able to develop within the THCD Overlay. If the Town Council does not wish to allow car washes in the THCD Overlay then no car washes would be allowed in the THCD Overlay.

Attached is a copy of the original ordinance. Staff will draft an amended ordinance should Town Council recommend.

Options	
1.	Car Washes are allowed in HC District but prohibited in THCD Overlay (no amendment option).
2.	Amend THCD Overlay to remove car washes from the list of prohibited uses.
3.	Amend THCD Overlay to remove car washes from the list of prohibited uses; allow such facilities as conditional uses within the THCD Overlay and establish such conditions.

Staff Recommendation	
Agenda Item Status	TBD
Name & Title	Penelope Karagounis, Planning Director
Department	Planning Department
Date of Request	March 14, 2022

Legislative History	
Planning Commission	TBD
First Reading	TBD
Public Hearing	TBD
Second Reading	TBD
Effective Date	Upon adoption



## Attachments

- Current Ordinance

## Sec. 21. - THCD Tom Hall Street corridor district.

1. *Tom Hall Street corridor district created:* The Fort Mill Zoning Ordinance is amended to create the Tom Hall Street corridor district (THCD) in accordance with the standards and provisions of this ordinance. The THCD shall apply to the following road segments: all parcels zoned HC Highway Commercial between Main Street and Kimbrell Road, including those areas zoned highway commercial near the intersection of Tom Hall Street and Doby Bridge Road.
2. *Overlay zoning district:* The THCD shall apply as an overlay district. Any use of land within the THCD shall comply with the standards and requirements of both the underlying district and the THCD. The provisions of the THCD shall apply in addition to other requirements of the zoning ordinance. In the case of conflict, the most restrictive provisions shall govern. No land shall be used or occupied and no structure shall be erected, altered, used or occupied within the THCD from the date of enactment of this ordinance as amended except as provided in this ordinance.
3. *Purpose:* The purpose of the THCD therefore are:
  - a. To create a more pedestrian friendly environment that provides more efficient points of access for the surrounding residential areas.
  - b. To promote commercial and retail uses that are conducive to a vibrant and economically sound downtown central business district.
  - c. To enhance the streetscape by setting higher standards of landscaping and building design.
  - d. To decrease setbacks required in the underlying zoning district to enhance foot traffic between businesses and to promote use of shared parking between businesses.
4. *Prohibited uses:* All uses permitted within the pre-existing (underlying) zoning district are permitted with the following exceptions:
  - a. Research, development and testing laboratories.
  - b. Any retail establishment having a building footprint in excess of 15,000 square feet; provided, however, that any existing retail building or collection of buildings lawfully in existence prior to the establishment of the THCD overlay may be rebuilt, altered or repaired, provided that the total footprint of any new building or

buildings may not exceed the total combined square footage of the building or buildings being replaced. In instances where the planning commission determines that a proposed building or collection of buildings constructed, altered or repaired under the provisions of this paragraph contain enhanced and/or exemplary architectural design elements as part of the Commercial Development Appearance Review Process outlined in article V of this ordinance, the Commission shall be authorized to grant an additional square footage allowance of up to ten percent.

- c. Horticultural nursery.
- d. Convenience stores (with or without gas stations).
- e. Coin laundry services.
- f. Crematories.
- g. Car washes.
- h. Repair garages; provided, however, that if a repair garage was lawfully in existence prior to the establishment of the THCD overlay, and if such facility has continued to operate without interruption since that date, then the owner or operator of any such facility may be permitted to expand his existing facility under the following conditions: 1) where feasible, a suitable landscaped buffer or fence shall be used to screen the facility from neighboring residential uses; 2) any outdoor storage and/or holding areas shall be screened from public view by a suitable fence and appropriate landscaped buffer; and 3) the overnight storage of vehicles shall be prohibited, unless such vehicles are located inside the facility or within any enclosed and properly screened storage area.
- i. Warehouses (including mini warehouses or personal storage units).
- j. Hospitals.
- k. Dealerships (including new or used automobiles, recreational vehicles, boats, boat trailers and utility trailers).
- l. Wrecker services.
- m. Check cashing establishments, title loan lenders, deferred presentment lenders, pawnshops, loan brokers, and small loan companies.
- n. Tire retail and repair facilities; provided, however, that if a tire retail and repair facility was lawfully in existence prior to the establishment of the THCD overlay,

and if such facility has continued to operate without interruption since that date, then the owner or operator of any such facility may be permitted to expand his existing facility under the following conditions: 1) where feasible, a suitable landscaped buffer or fence shall be used to screen the facility from neighboring residential uses; 2) any outdoor storage and/or holding areas shall be screened from public view by a suitable fence and appropriate landscaped buffer; and 3) the overnight storage of vehicles shall be prohibited, unless such vehicles are located inside the facility or within any enclosed and properly screened storage area.

- o. Day labor service agency.
    - p. Tattoo facilities
- 5. *Building materials:* Buildings shall be designed to use, to the greatest extent feasible, building materials such as rock, stone, brick and wood or any other material so deemed appropriate through the appearance review per article V of the zoning code so as to maintain the specialized commercial and historic character of the corridor.
- 6. *Other requirements:*
  - a. Minimum lot area—No minimum.
  - b. Minimum side yard—No side yard required.
  - c. Minimum rear yard—No rear yard required.
  - d. Minimum front yard—Ten feet.
  - e. No building shall exceed 60 feet in height.